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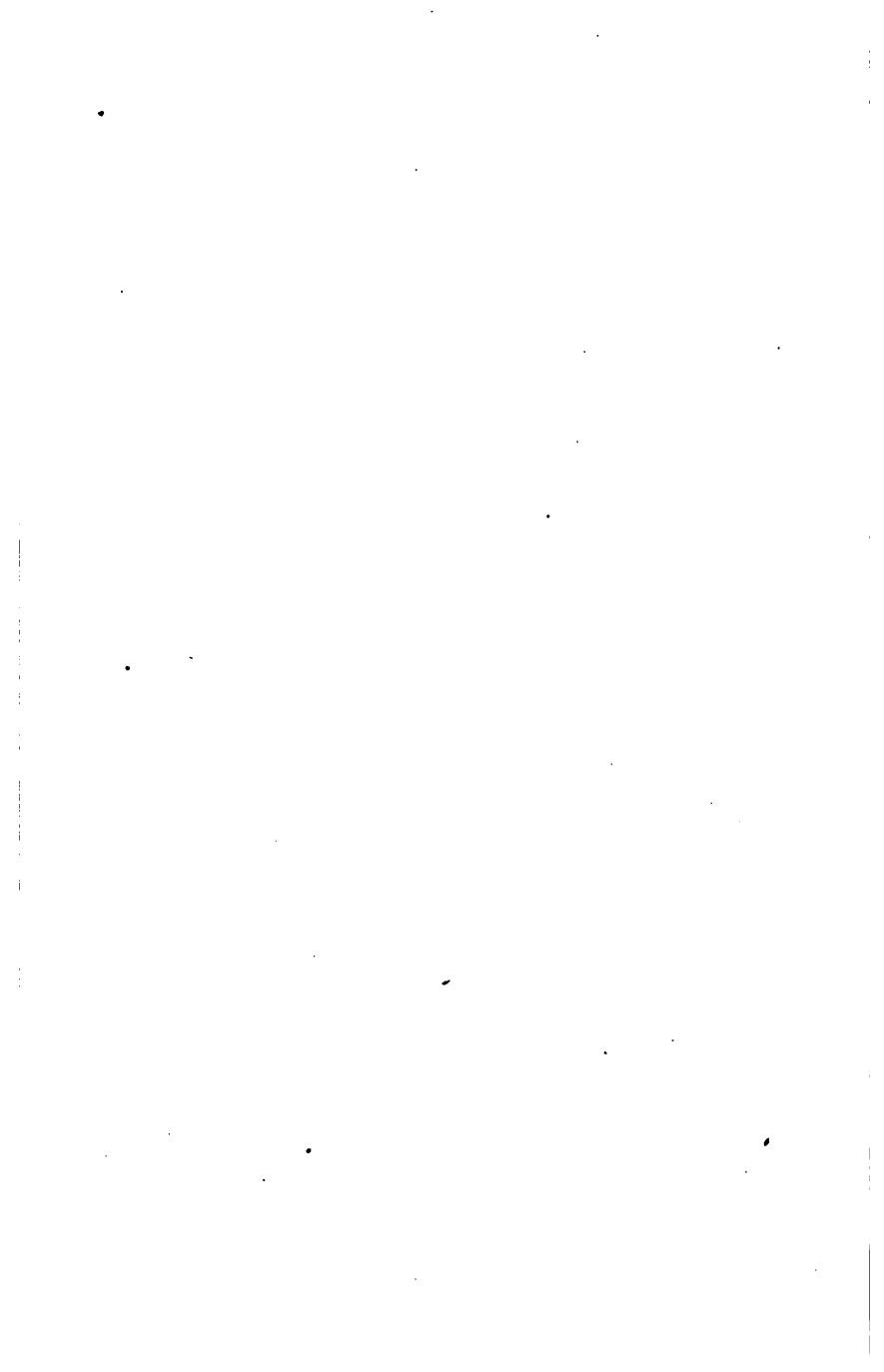
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[NOTE.—No. 197 is the last General Order and No. 54 the last Circular issued from War Department in 1904.]

1904.

JANUARY							JULY						
S.	M.	T.	W.	T.	F.	S.	S.	M.	T.	W.	T.	F.	S.
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FEBRUARY							AUGUST						
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NOTE.—Circular, No. 25, is the last of the series, War Department, of 1903.]

CIRCULAR, }

No. 1. }

WAR DEPARTMENT,

WASHINGTON, January 8, 1904.

I.—Articles issued under the provisions of General Orders, No. 89, Headquarters of the Army, Adjutant General's Office, June 22, 1903, may be used in noncommissioned officers' schools under such regulations as commanding officers may establish. Additional articles of the character therein indicated will not be supplied for noncommissioned officers' schools.

II.—The provisions of General Orders, No. 94, Headquarters of the Army, Adjutant General's Office, June 26, 1903, apply to batteries of field artillery as well as to companies of coast artillery, and the insignia and badges will be issued as therein provided to all artillery organizations.

ORDER OF THE SECRETARY OF WAR:

S. B. M. YOUNG,

Lieutenant General, Chief of Staff.

SPECIAL:

W. P. HALL,

Acting Adjutant General.

THE
FEDERAL
BUREAU OF
INVESTIGATION
OF THE
DEPARTMENT OF JUSTICE
WASHINGTON, D. C.



CIRCULAR, }
No. 2. }

WAR DEPARTMENT,
WASHINGTON, *January 11, 1904.*

Soldier's handbooks, excepting those in hands of enlisted men, copies of Drill Regulations, Army Regulations, Small-Arms Firing Regulations, manuals, and other books of instruction (Government publications) issued to organizations will be accounted for on the muster rolls of the organizations. Such books when lost, worn out, or damaged should be disposed of under Article LIX, Army Regulations, as in case of other Government property. They will not be turned in to the War Department unless especially directed.

Soldier's handbooks issued to enlisted men will be dropped from the muster rolls. Serviceable handbooks left with organizations by deserters, dishonorably discharged soldiers, etc., will be kept for reissue when needed. The instructions contained in the soldier's handbook in conflict herewith are revoked.

BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,
Major General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

JAN 29 Rec'd



CIRCULAR, }
No. 3. }

WAR DEPARTMENT,
WASHINGTON, January 12, 1904.

The following decision of the Assistant Comptroller of the Treasury is published for the information and guidance of all concerned:

After retirement, an officer is entitled to receive 75 per cent of the actual rank held by him at date of his retirement, and not 75 per cent of the pay, emoluments, and allowances which he may have been entitled to because of his employment on certain duty immediately prior to retirement. Officers of the Artillery Corps are not commissioned as of any particular branch of duty but as officers of artillery, and then assigned to a particular branch therein. If on light artillery duty when retired they are not entitled to 75 per cent of mounted pay.

TREASURY DEPARTMENT,
OFFICE OF COMPTROLLER OF THE TREASURY,
Washington, December 23, 1903.

The Auditor for the War Department has reported for approval, disapproval, or modification, a decision making an original construction of a statute, as follows:

In the examination of certain vouchers in the accounts of Lieut. Col *F. S. Dodge*, deputy paymaster general, U. S. Army, the question arises as to whether or not Capt. *Henry R. Lemly*, retired, U. S. Army, was paid in excess of the amount which he was legally entitled to receive as a retired captain of artillery.

Captain *Lemly* was retired from active military service by paragraph 27, of Special Orders, No. 92, A. G. O., dated April 20, 1899, which reads as follows:

"By direction of the President, and under section 1243, Revised Statutes, Capt. *Henry R. Lemly*, 7th U. S. Artillery, is, upon his own application, after over thirty years' service, retired from active service April 20, 1899, and will proceed to his home. The travel enjoined is necessary for the public service."

The Adjutant General of the Army informed this office, November 5, 1903, that in retiring artillery officers the War Department does not make any distinction between those serving with light batteries and those serving with coast artillery, and that Captain *Lemly* at the time of his retirement, April 20, 1899, was captain of a light battery, but was, and had been from December 12, 1898, absent from the battery on special duty at headquarters, Department of Porto Rico, San Juan, Porto Rico.

Section 1261 of the Revised Statutes provides in part as follows:

"The officers of the Army shall be entitled to the pay herein stated after their respective designations:

* * * * *
Captain, mounted, \$2,000 a year.
Captain, not mounted, \$1,800 a year.
* * * * *

Section 1270 of the Revised Statutes as amended by the act of February 27, 1877 (19 Stat., 243), provides in part as follows:

"That officers of the Army and Volunteers assigned to duty which requires them to be mounted shall, during the time they are employed on

such duty, receive the pay, emoluments, and allowances of cavalry officers of the same grade, respectively."

Under this law Captain *Lemly* was, during the time he was employed on duty which required him to be mounted, entitled to receive the pay, emoluments, and allowances of a captain of cavalry, and *only* during the time he was so employed, because effect must be given to the doctrine of *inclusio unius est exclusio alterius*. The law providing only that an officer assigned to duty requiring him to be mounted shall, during the time he is employed on such duty, receive the pay, emoluments, and allowances of a cavalry officer of the same grade tacitly excludes the idea that he shall receive pay, emoluments, and allowances for time when he is *not* employed on such duty which requires him to be mounted.

Section 1274 of the Revised Statutes provides as follows:

"Officers retired from active service shall receive seventy-five per centum of the pay of the rank upon which they are retired."

Section 1254 of the Revised Statutes provides as follows:

"Officers hereafter retired from active service shall be retired upon the actual rank held by them at the date of retirement."

After retirement an officer is entitled to receive pay at the rate of seventy-five per centum of the pay of the actual rank held by him at the date of his retirement and not at seventy-five per centum of the pay, emoluments, and allowances which he may have been entitled to receive because of his employment on certain duty immediately prior to retirement.

Paragraph 1301 of the Army Regulations of 1895 declared, among other things, that "officers of a light battery duly organized and equipped" in addition to those whose pay was fixed by law, were entitled to pay as mounted officers.

Second Comptroller Brodhead held in decisions rendered in October and November, 1871, that a special service does not constitute a grade, and that a provision of law giving assimilated pay can not legally be extended so as to authorize an allowance that depends on grade. (See section 931 of volume 2, Digest of Decisions of the Second Comptroller of the Treasury, 1869 to 1884.)

By "actual rank" as used in section 1254, Revised Statutes, is evidently meant the rank which an officer holds by virtue of his commission as an officer in the Army and not by virtue of his assignment to and employment on duty which entitles him to receive certain pay, emoluments, and allowances during the time he is employed thereon.

Officers of the Army are commissioned as of the particular branch or arm of the service to which they belong, as captain of cavalry, captain of infantry, or captain of artillery, and are assigned to their respective regiments and duties by orders of the War Department.

An officer retired from active service in pursuance of section 1254 of the Revised Statutes is entitled to receive seventy-five per centum of the pay of the actual rank held by him at the date of his retirement.

I am therefore of the opinion and so decide, that if an officer holds the actual rank of captain in any particular arm of the service at the date of his retirement, either by virtue of his commission as an officer in the Army or of laws passed by Congress, his retired pay can legally be only seventy-five per centum of the pay of a captain in said arm of the service and not seventy-five per centum of the pay which he is entitled to receive during the time he is employed on duty to which he has been assigned and which requires him to be mounted.

I am of the opinion, and so decide, that in the case under consideration, Capt. *Henry R. Lemly*, who, while holding a commission as a captain of artillery, was, on April 20, 1890, retired from active service, is entitled to receive seventy-five per centum of the pay of a captain unmounted, inasmuch as the pay of an officer of artillery with the rank of a captain is the pay of a captain not mounted, excepting only during the period during which by orders he is assigned to duty which requires him to be mounted.

As this decision involves an original construction of section 1274, section 1254, and the last proviso in section 1270 of the Revised Statutes of the United States, it will be at once transmitted to the Comptroller of the Treasury for his approval, disapproval, or modification, under the provisions of the act of July 31, 1894.

The increased pay which Captain *Lemly* received during the period in which he was on duty which required him to be mounted was incident to the special service which he performed and was not a part of the rank upon which he was retired.

The retired pay of an officer can not be increased by special services

which he may be rendering at the time of retirement. (See McKenna vs. United States, 23 Ct. Clms., 308; 4 Comp. Dec., 374; 5 Comp. Dec., 242.)

It is understood that officers of the Artillery Corps are not commissioned as of any particular branch of artillery, but *as officers of artillery* and then assigned by the War Department to a particular branch therein. With this understanding the decision of the Auditor is approved.

L. P. MITCHELL,
Assistant Comptroller.

BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,
Major General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

CIRCULAR, }
No. 4 }

WAR DEPARTMENT,
WASHINGTON, January 20, 1904.

The following letter from the Quartermaster General is published to the Army for the information and guidance of all concerned, the limitation on alterations of uniforms to be strictly observed:

WAR DEPARTMENT,
OFFICE OF THE QUARTERMASTER GENERAL,
WASHINGTON, December 11, 1903.

To the **CHIEF OF STAFF, U. S. Army.**

SIR: It has been brought to the attention of this Department that the custom obtains, among some of the enlisted men, of having the clothing altered by tailors after drawing the same, especially the new olive-drab overcoats, which are purposely made full in the back. Some of the men do not like this fullness and consequently have it taken out.

I therefore have the honor to request that such orders be issued as will prevent any radical alteration of the new style uniform by enlisted men after its issue. Necessary changes, such for instance as shortening the sleeves, to be excepted.

Great care has been taken in designing the new olive-drab uniform, several different sizes having been added, and if proper care is exercised before making requisition for same it is believed that there will be very few instances where the men can not be fitted without alteration. Men who can not be fitted from sizes kept in stock can be supplied on special measurements in the regular way.

Respectfully,

C. F. HUMPHREY,
Quartermaster General, U. S. Army.

BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

NOTE.—Circular, No. 25, is the last of the series, War Department, of 1903.]

CIRCULAR, }
No. 1. }

WAR DEPARTMENT,
WASHINGTON, January 8, 1904.

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ORDER OF THE SECRETARY OF WAR:

S. B. M. YOUNG,
Lieutenant General, Chief of Staff.

SPECIAL:

W. P. HALL,
Acting Adjutant General.

the case are then forwarded to the Torpedo Board at Fort Totten, New York, and if the applicant is recommended by that board he will be again directed to report at his own expense at the post where he took this examination, for enlistment as a private in the Artillery Corps. As soon as enlisted he will be sent to Fort Totten, New York, at Government expense for a practical test as to his skill in mechanical drawing and his ability to care for, use, and repair the various engines, machinery, and electrical apparatus pertaining to sea-coast fortifications and their appurtenances.

This practical examination will cover a period of about two months, after which, if successful, he will receive his warrant as a master electrician.

If unsuccessful he is given the option of being immediately honorably discharged from the service or of serving out his enlistment.

ELECTRICIAN SERGEANTS.

An electrician sergeant is an enlisted man in the U. S. Army. His pay is \$34 per month with the usual allowances of an enlisted man for rations, clothing, quarters, medical attendance, etc.

His duties comprise the supervision of the care and use of steam and oil engines, motors, dynamos, storage batteries, searchlights, submarine mine equipment, and the other electrical apparatus found at seacoast fortifications, for the proper and serviceable condition of which he is held responsible.

Electrician sergeants are ordinarily appointed from the Army. Applicants from civil life will apply direct in writing to the commandant of the School of Submarine Defense, Fort Totten, New York, for examination. They must be under 33 years of age and unmarried.

The application must be accompanied by certificates from responsible parties stating that the applicant has a good knowledge of arithmetic, elementary steam, elementary electricity, elementary mechanics, and also had some practical experience with steam, electricity, and mechanics.

Upon receipt of an application from a civilian, accompanied by satisfactory certificates, the applicant will be directed to report at his own expense to the commanding officer of the nearest military post for physical and preliminary mental examination.

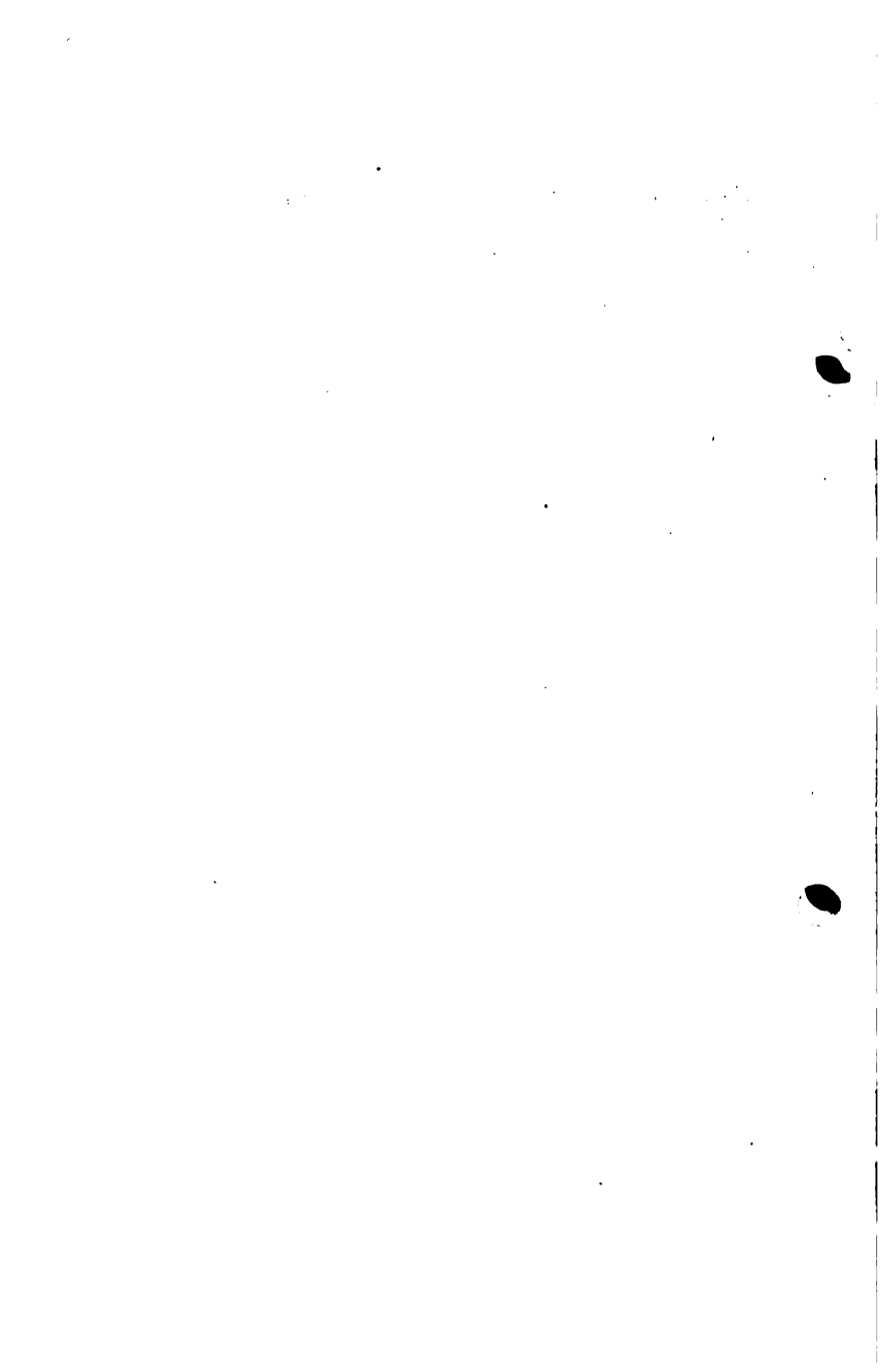
The mental examination is of such scope as to clearly demonstrate that the applicant has the requisite theoretical knowledge of arithmetic, elementary steam, electricity and mechanics for the position of electrician sergeant. The papers in the case are then forwarded to the school board at Fort Totten, New York, and if the applicant is recommended by that board he will be directed to again report at his own expense at the post where he took this examination, for enlistment as a private in the Artillery Corps, after which he will be sent to Fort Totten, New York, at Government expense for a course of instruction in the duties of an electrician sergeant. At the end of this course, which ordinarily lasts for a year, the applicant is examined and if successful will be appointed an electrician sergeant. In case he fails he has the option of honorable discharge or of serving out his enlistment.

BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.



CIRCULAR, }
No. 6. }

WAR DEPARTMENT,
WASHINGTON, *January 27, 1904.*

The company fund is not intended for expenditure in the purchase of articles to facilitate the transaction of business in a company. On the contrary the legitimate and proper application of this fund is in supplementing the articles already furnished by the supply departments for the purpose of increasing the comfort, pleasure, contentment, mental and physical improvement of the organization. To accomplish this purpose, disbursements of company fund are authorized; disbursements for all other purposes are unauthorized.

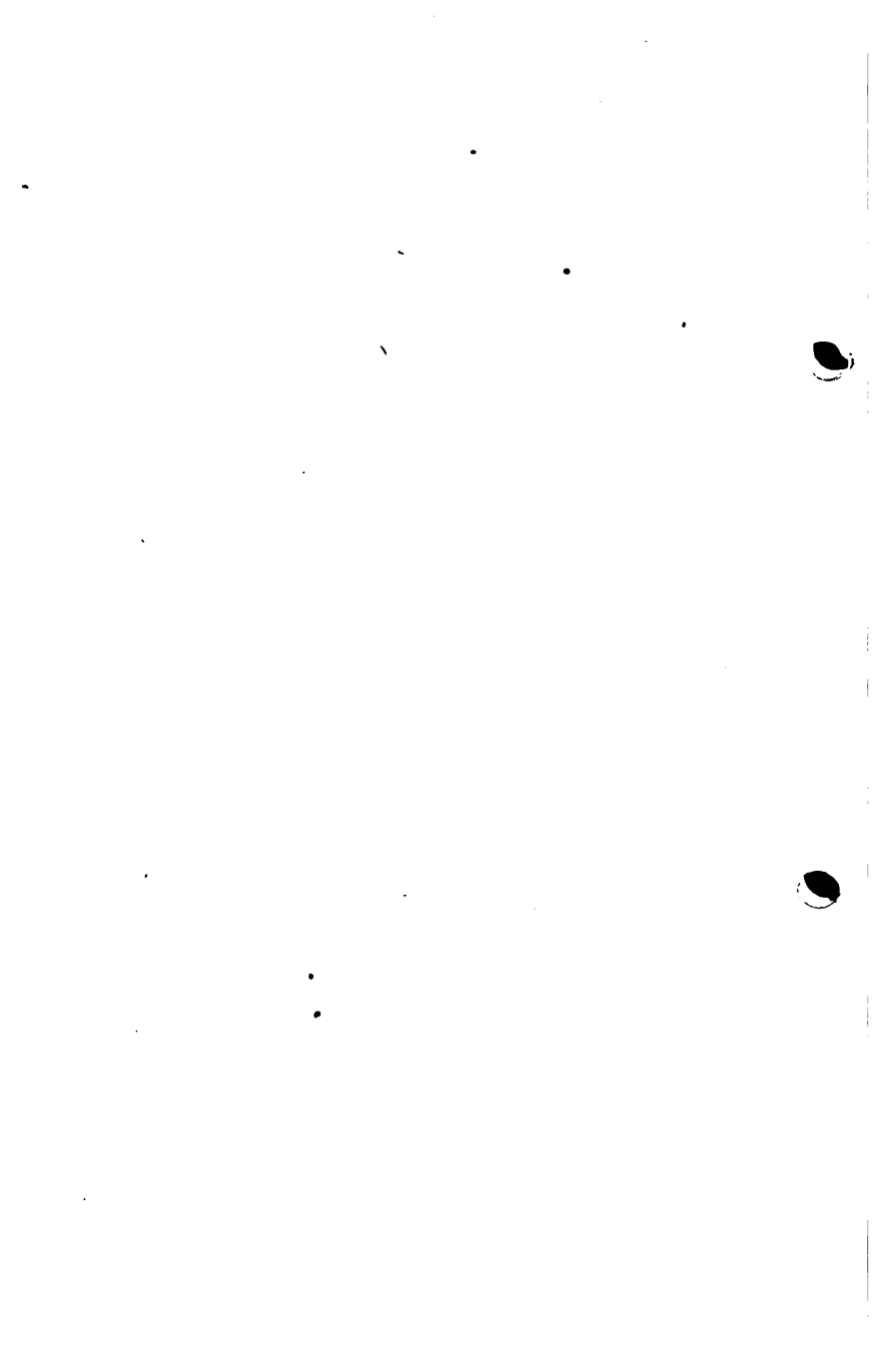
BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

FEB 2 Rec'd



CIRCULAR, }
No. 7. }

WAR DEPARTMENT,
WASHINGTON, *February 1, 1904.*

The accompanying list of depositaries for United States funds, designated for the reception, safe-keeping, and disbursement of funds advanced to disbursing officers of the War Department, is published for the information and guidance of those concerned.

These depositaries have been from time to time designated by the Secretary of the Treasury under the provisions of section 3620 of the Revised Statutes.

This Circular, showing a complete and correct statement to January 22, 1904, inclusive, is intended to take the place of Orders and Circulars heretofore issued in reference to the names of depositaries and the amount of their securities filed with the U. S. Treasurer.

BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

Places designated by the Secretary of the Treasury to regulate and secure the safe-keeping of public money intrusted to disbursing officers of the War Department.

Designation.	Where located.	Amount of securities filed with the U. S. Treasurer.
Treasurer of the United States	Washington, D. C.	
Asst. Treasurer of the United States..	San Francisco, Cal.	
Asst. Treasurer of the United States..	New Orleans, La.	
Asst. Treasurer of the United States..	Boston, Mass.	
Asst. Treasurer of the United States..	St. Louis, Mo.	
Asst. Treasurer of the United States..	New York, N. Y.	
Asst. Treasurer of the United States..	Philadelphia, Pa.	
Asst. Treasurer of the United States..	Baltimore, Md.	
Asst. Treasurer of the United States..	Chicago, Ill.	
Asst. Treasurer of the United States..	Cincinnati, Ohio.	
Treasury of the Philippine Islands....	Manila, P. I.	
First National Bank	Juneau, Alaska.....	\$75,000.00
City National Bank	Tuscaloosa, Ala	50,000.00
Merchants and Planters-Farley National Bank.	Montgomery, Ala.....	50,000.00
Prescott National Bank.....	Prescott, Ariz	50,000.00
Exchange National Bank	Little Rock, Ark....	100,000.00
Los Angeles National Bank.....	Los Angeles, Cal	150,000.00
Colorado National Bank	Denver, Colo.....	400,000.00
Denver National Bank.....	Denver, Colo.....	350,000.00
First National Bank	Denver, Colo.....	400,000.00
Second National Bank	New Haven, Conn ...	50,000.00
National Bank of Commerce.....	New London, Conn..	100,000.00
National Bank of Jacksonville.....	Jacksonville, Fla....	140,000.00
First National Bank	Tampa, Fla.....	200,000.00
Atlanta National Bank	Atlanta, Ga	200,000.00
Lowry National Bank.....	Atlanta, Ga	300,000.00
Merchants' National Bank.....	Savannah, Ga	127,000.00
First National Bank of Hawaii.....	Honolulu, Hawaii ...	200,000.00
Boise City National Bank.....	Boise, Idaho.....	105,000.00
Rock Island National Bank.....	Rock Island, Ill.....	50,000.00
First National Bank	Springfield, Ill.....	75,000.00

Places designated, etc.—Continued.

Designation.	Where located.	Amount of securities filed with the U. S. Treasurer.
American National Bank.....	Indianapolis, Ind.....	\$1,000,000.00
Indiana National Bank.....	Indianapolis, Ind.....	750,000.00
Citizens' National Bank.....	Davenport, Iowa.....	50,000.00
First National Bank.....	Davenport, Iowa.....	200,000.00
Iowa National Bank.....	Des Moines, Iowa.....	200,000.00
Security National Bank.....	Sioux City, Iowa.....	50,000.00
First National Bank.....	Leavenworth, Kans.....	150,000.00
Leavenworth National Bank.....	Leavenworth, Kans.....	150,000.00
*First National Bank.....	Junction City, Kans.....	50,000.00
Union National Bank.....	Louisville, Ky.....	665,000.00
Citizens' National Bank.....	Louisville, Ky.....	500,000.00
Granite National Bank.....	Augusta, Me.....	100,000.00
Merchants' National Bank.....	Portland, Me.....	90,000.00
Third National Bank.....	Springfield, Mass.....	60,000.00
Commercial National Bank.....	Detroit, Mich.....	250,000.00
First National Bank.....	St. Paul, Minn.....	300,000.00
Second National Bank.....	St. Paul, Minn.....	375,000.00
First National Bank.....	Minneapolis, Minn ..	250,000.00
First National Bank.....	Duluth, Minn.....	100,000.00
First National Bank.....	Vicksburg, Miss.....	50,000.00
National Bank of Commerce.....	Kansas City, Mo	1,250,000.00
National Bank of Montana	Helena, Mont.....	150,000.00
American National Bank	Helena, Mont.....	100,000.00
First National Bank	Omaha, Nebr.....	200,000.00
Omaha National Bank	Omaha, Nebr.....	400,000.00
First National Bank	Portsmouth, N. H....	200,000.00
First National Bank	Trenton, N. J.....	70,000.00
First National Bank	Albuquerque, N. Mex ..	150,000.00
First National Bank	Santa Fe, N. Mex.....	50,000.00
First National Bank	Oswego, N. Y.....	105,000.00
Manufacturers' National Bank	Troy, N. Y.....	150,000.00
Third National Bank of Buffalo	Buffalo, N. Y.....	150,000.00
First National Bank	Fargo, N. Dak.....	150,000.00

*Reception of disbursing funds only.

Places designated, etc.—Continued.

Designation.	Where located.	Amount of securities filed with the U. S. Treasurer.
Deshler National Bank	Columbus, Ohio	\$250,000.00
First National Bank	Portland, Oreg	800,000.00
First National Bank of Erie	Erie, Pa	50,000.00
Mellon National Bank	Pittsburg, Pa	1,000,000.00
Tradesmen's Nat'l Bank of Pittsburg..	Pittsburg, Pa	211,000.00
First National Bank	Newport, R. I.	50,000.00
First National Bank	Charleston, S. C	150,000.00
First National Bank	Deadwood, S. Dak	100,000.00
Chattanooga National Bank	Chattanooga, Tenn	150,000.00
East Tennessee National Bank	Knoxville, Tenn	50,000.00
First National Bank	Memphis, Tenn	200,000.00
First National Bank	Nashville, Tenn	150,000.00
American National Bank	Dallas, Tex	200,000.00
First National Bank	El Paso, Tex	200,000.00
San Antonio National Bank	San Antonio, Tex	118,000.00
Deseret National Bank	Salt Lake City, Utah	300,000.00
Utah National Bank	Ogden, Utah	50,000.00
First National Bank	Ogden, Utah	50,000.00
Norfolk National Bank	Norfolk, Va	640,000.00
National Bank of Commerce	Norfolk, Va	350,000.00
Washington National Bank	Seattle, Wash	528,400.00
Seattle National Bank	Seattle, Wash	500,000.00
Exchange National Bank	Spokane, Wash	100,000.00
National Bank of Commerce	Tacoma, Wash	100,000.00
National Exchange Bank	Wheeling, W. Va	300,000.00
First National Bank	Madison, Wis	50,000.00
First National Bank	Milwaukee, Wis	350,000.00
National Exchange Bank	Milwaukee, Wis	260,000.00
First National Bank	Cheyenne, Wyo	50,000.00
Stock Growers' National Bank	Cheyenne, Wyo	50,000.00
American Colonial Bank of Porto Rico.	San Juan, P. R	250,000.00

CIRCULAR, }
No. 8. }

WAR DEPARTMENT,
WASHINGTON, February 10, 1904.

I.—A series of tests having shown that a "light slushing oil" is superior to the petrolatum and vaseline now prescribed for use in protecting all unpainted surfaces of steel and iron on guns, gun carriages, and other parts of the armament, this oil will hereafter be issued by the Ordnance Department instead of petrolatum and vaseline, and will be used to protect the bores and breech mechanisms of guns, and all bright steel or iron surfaces of field and coast armament.

This light slushing oil is similar in appearance to vaseline and petrolatum, but is much superior to both in that it is not washed off by rain after having been applied for thirty hours, does not run under heat, and gives good protection when applied in a very thin coat. If exposed to rain within thirty hours after its application all surfaces should be carefully examined and recoated if necessary. It can be applied to breech mechanisms and other exposed surfaces by means of paint brushes known as sash tools No. 6 issued for that purpose. Except in very cold weather it can be applied in a thin uniform coat by using the brush as when painting. During cold weather it should be applied by stippling, i. e., lightly tapping the surface with the end of the brush, the brush being held perpendicular to the surface to be covered. It can be applied to the bores of guns by means of the slush brush issued for the purpose. In cold weather it should be warmed before being applied to the bores of guns. *In all cases it should be applied in a thin coat since this is all that is necessary to give good protection.*

This oil can be readily removed by the use of burlap or waste dipped in kerosene oil. Lye dissolved in hot water and used while hot will also remove it, but not as satisfactorily as kerosene oil. In order to reduce the amount of kerosene oil to be used for its removal a thick coating of slushing oil when present should first be removed with a scraper before applying the kerosene.

Water without the addition of lye or kerosene should be used for cleaning bores of guns after firing. They should be permitted to drain and then be wiped dry before applying the slushing oil.

Before applying the slushing oil to any surface it should be thoroughly cleaned so as to be free from rust, water, kerosene oil, lubricating oil, etc., as their presence will cause rusting underneath the slushing oil. If applied to an oiled surface the slushing oil has been found to run off when heated.

The slushing oil, when fresh, is also an excellent lubricant for bearing surfaces, such as crosshead guides, traversing and recoil rollers, breechlock threads, translating rollers, and operating worms of breech mechanisms. A very thin coat should be applied to the breechlock threads and to the threads in the breech recess. It will replace synovial oil as a lubricant for these surfaces. They should be lightly coated with this material whenever the breechlock is operated, whether at drill or during firing. The Vacuum Oil Company's No. 41 lubricant only will be used in grease cups and synovial oil only in oil holes and on other surfaces.

On account of the superior protection afforded by this material it will not be necessary to completely remove it for inspection purposes as frequently as has been found necessary with the protecting materials heretofore used. Its frequent removal from a limited area will serve as an indication of the protection which is being afforded.

The issue of petrolatum, vaseline, sperm oil, resin, and concentrated lye will be discontinued as soon as the present supply is exhausted. Light slushing oil to the amount of 65 per cent of the present allowance of petrolatum and kerosene to the amount of 125 per cent of the present allowance will be issued in their places.

II.—The attention of all officers concerned is called to the fact that the modification of the prohibition heretofore imposed against the use of the penalty envelope in conducting correspondence of post exchanges, published in paragraph 1, Circular, No. 5, Headquarters of the Army, Adjutant General's Office, January 23, 1902, must not be extended to cover the carrying of merchandise.

BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL.
Acting Adjutant General.

CIRCULAR, }
No. 9. }

WAR DEPARTMENT,
WASHINGTON, *February 27, 1904.*

The accompanying list, corrected to present date, showing surety companies which have qualified to do business in the State in which incorporated, showing also the United States judicial districts in other States and Territories in which each has complied with section 2, act of August 18, 1894, and paragraph 656 of the Army Regulations, is published for the information of all concerned.

BY ORDER OF THE SECRETARY OF WAR:

ADNA B. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

MAR 11 Rec'd

*List showing Surety Companies which have qualified to do
U. S. Judicial Districts in other States and Territories
of August 13, 1894, and Army*

NAME OF COMPANY.	ALA.			ALAS.		ARIZ.		ARK.		CAL.		COLO.		CONN.
	Nu.	Mid.	Sn.			En.	Wn.	Nu.	Sn.					
American Surety Company of New York, 100 Broadway, New York, N. Y.	x	x	x	x	x	x	x	x	x	x	x	x	x	
Fidelity and Deposit Company of Maryland, corner Charles and Lexington sts., Baltimore, Md.	x	x	x	x	x	x	x	x	x	x	x	x	x	
American Bonding Co. of Baltimore, Md.	x	x	x	x	x	x	x	x	x	x	x	x	x	
The City Trust Safe Deposit and Surety Co. of Philadelphia, 927 Chestnut st., Phila., Pa.	x	x	x	x	x	x	x	x	x	x	x	x	x	
The Fidelity and Casualty Company of New York, 99 to 103 Cedar st., New York, N. Y.	x	x	x				x	x	x	x	x	x	x	
The U. S. Fidelity and Guaranty Company, S.W. cor. Calvert and German sts., Baltimore, Md.	x	x	x	x	x	x	x	x	x	x	x	x	x	
The Mercantile Trust Co., Pittsburg, Pa.	x	x	x	x	x	x	x	x	x	x	x	x	x	
National Surety Company, New York, N. Y.	x	x	x	x	x	x	x	x	x	x	x	x	x	
The Equitable Guarantee and Trust Company, N.W. cor. 9th and Market sts., Wilmington, Del.	x													
The Union Trust Co. of Pittsburg, Pittsburg, Pa.	x	x	x	x	x	x	x	x	x	x	x	x	x	
The Aetna Indemnity Company, Hartford, Conn.	x	x	x	x	x	x	x	x	x	x	x	x	x	
The Union Safe Deposit and Trust Company, Portland, Me.														
Pacific Surety Company, San Francisco, Cal.				x								x		
Virginia Trust Company, Richmond, Va.														
The Equitable Trust Co. of Pittsburg, Ptsbg., Pa.														
United States Guarantee Co., New York, N. Y.														
Citizens' Trust and Guaranty Co., Parkersburg, W. Va.	x	x	x	x	x	x	x	x	x	x	x	x	x	
The Bankers Surety Co., Cleveland, Ohio.						x	x					x		
The Continental Title and Trust Co., Phila., Pa.														
The Empire State Surety Co., New York, N. Y.														
The Title and Guaranty Trust Co. of Scranton, Pa.	x	x	x		x	x	x	x	x	x	x	x	x	
Federal Union Surety Co., Indianapolis, Ind.														
Industrial Trust, Title and Savings Co., Philadelphia, Pa.														

LEGEND: = indicates State in which incorporated

*List showing Surety Companies which have qualified to do
U. S. Judicial Districts in other States and Terri
of August 13, 1894, and Army Regu*

NAME OF COMPANY.	MONT.	NEBR.	NEV.	N. C.	N. DAK.	N. H.	N. J.	N. MEX.
			En.	Wn.				
American Surety Company of New York, 100 Broad- way, New York, N. Y.	x	x	x	x	x	x	x	x
Fidelity and Deposit Company of Maryland, corner Charles and Lexington sts., Baltimore, Md.	x	x	x	x	x	x	x	x
American Bonding Co. of Baltimore, Md.	x	x	x	x	x	x	x	x
The City Trust Safe Deposit and Surety Co. of Phila- delphia, 827 Chestnut st., Phila., Pa.	x	x	x	x	x	x	x	x
The Fidelity and Casualty Company of New York 99 to 103 Cedar st., New York, N. Y.	x	x	x	x	x	x	x	
The U. S. Fidelity and Guaranty Company, SW. cor. Calvert and German sts., Baltimore, Md.	x	x	x	x	x	x	x	x
The Mercantile Trust Co., Pittsburg, Pa.	x	x	x	x	x	x	x	x
National Surety Company, New York, N. Y.	x	x	x	x	x	x	x	x
The Equitable Guarantee and Trust Company, NW cor. 9th and Market sts., Wilmington, Del.								
The Union Trust Co. of Pittsburg, Pittsburg, Pa.	x	x	x	x	x	x	x	x
The Aetna Indemnity Company, Hartford, Conn.	x	x	x	x	x	x	x	x
The Union Safe Deposit and Trust Company, Port- land, Me.								
Pacific Surety Company, San Francisco, Cal.	x	x	x					
Virginia Trust Company, Richmond, Va.								
The Equitable Trust Co. of Pittsburg, Ptsbg., Pa.								
United States Guarantee Co., New York, N. Y.								
Citizens' Trust and Guaranty Co., Parkersburg, W. Va.	x	x	x	x	x	x	x	x
The Bankers' Surety Co., Cleveland, Ohio		x			x			
The Continental Title and Trust Co., Phila Pa.								
The Empire State Surety Co., New York, N. Y.								
The Title Guaranty and Trust Co. of Scranton, Pa.	x	x	x	x	x	x	x	x
Federal Union Surety Co., Indianapolis, Ind.								
Industrial Trust, Title and Savings Co., Philadel- phia, Pa.								

LEGEND: = indicates State in which incorporated







CIRCULAR.

WAR DEPARTMENT,
Washington, March 4, 1904.

The forms described in this Circular are prescribed to carry out the intentions of the act of January 21, 1903.

They are numbered in sequential order from 10 to 15, those numbered from 1 to 9 being included in the circular of procedure of November 23, 1903.

ROBERT SHAW OLIVER,
Assistant Secretary of War.

FORM NO. 10.—MILITIA.

Section 18, act of January 21, 1903, establishes certain conditions precedent to enable a State or Territory to partake of the allotment of the funds annually appropriated under 1661, Revised Statutes, as amended. The requirements of this section are to be reported by the adjutant general of the State on this form. There may be five practice marches on five consecutive days, or a camp of instruction held for five consecutive days, or there may be any combination of marches and camps of instruction for a period of five consecutive days. For a noncompliance with that portion of the section which relates to marches and camps of instruction, it is necessary that the organization be excused by the governor, and it must be so shown in the remarks. In addition to these marches and camps of instruction, the following is essential, and the report covering what is required should be complete and comprehensive:

"To assemble for drill and instruction at company, battalion, or regimental armories or rendezvous or for target practice not less than twenty-four times, and shall also have required during such year an inspection of each company, troop, and battery to be made by an officer of such militia or an officer of the Regular Army."

This form is for the entire militia of the State or Territory, and will be compiled from company, troop, and battery

returns, and cover the period from January 1 to December 31 of each year, and will be forwarded to the Adjutant General of the Army not later than February 1 of the following year. The return will be made out in the following order:

1. Corps of Engineers, by battalion, each company in each battalion being reported.
2. Signal Corps, by companies.
3. Regiments of infantry, with all companies reported.
4. Separate battalions of infantry, with all companies reported.
5. Separate companies of infantry.
6. Companies of Coast Artillery.
7. Battalions of Field Artillery, by batteries.
8. Regiments of cavalry, all troops to be reported.
9. Separate squadrons, all troops to be reported.
10. Separate troops of cavalry.
11. Hospital corps, by companies.
12. All other organizations.

See accompanying model of completed return.

Section 18. That each State or Territory furnished with material of war under the provisions of this or former acts of Congress shall, during the year next preceding each annual allotment of funds, in accordance with section sixteen hundred and sixty-one of the Revised Statutes as amended, have required every company, troop, and battery in its organized militia not excused by the governor of such State or Territory to participate in practice marches or go into camp of instruction at least five consecutive days, and to assemble for drill and instruction at company, battalion, or regimental armories or rendezvous, or for target practice not less than twenty-four times, and shall also have required during such year an inspection of each such company, troop, and battery to be made by an officer of such militia or an officer of the Regular Army.

FORM NO. 11.—MILITIA.

This form is intended to obtain the information necessary under section 14, act of January 21, 1903, to determine whether or not the organized militia of a State or Territory, or the District of Columbia, "is sufficiently armed, uniformed and equipped for active duty in the field," to entitle such part thereof "as shall engage in actual field and camp service for

instruction * * * to the same pay, subsistence and transportation or travel allowances * * * of the Regular Army."

This form is intended to embody all the data determined at an inspection by an officer of the Regular Army necessary to a complete understanding of the sufficiency of armament, uniform and equipment of the States and Territories. Although this form is made by an officer of the Army, a model is placed in the circular for the purpose of information and instruction.

Section 14. That whenever it shall appear by the report of inspections, which it shall be the duty of the Secretary of War to cause to be made at least once in each year by officers detailed by him for that purpose, that the organized militia of a State or Territory or of the District of Columbia is sufficiently armed, uniformed, and equipped for active duty in the field, the Secretary of War is authorized, on the requisition of the governor of such State or Territory, to pay to the quartermaster general thereof or to such other officer of the militia of said State as the said governor may designate and appoint for the purpose, so much of its allotment out of the said annual appropriation under section sixteen hundred and sixty-one of the Revised Statutes as amended as shall be necessary for the payment, subsistence, and transportation of such portion of said organized militia as shall engage in actual field or camp service for instruction, and the officers and enlisted men of such militia while so engaged shall be entitled to the same pay, subsistence, and transportation or travel allowances as officers and enlisted men of corresponding grades of the Regular Army are or may hereafter be entitled by law, and the officer so designated and appointed shall be regarded as a disbursing officer of the United States, and shall render his accounts through the War Department to the proper accounting officers of the Treasury for settlement, and he shall be required to give good and sufficient bonds to the United States, in such sums as the Secretary of War may direct, faithfully to account for the safe keeping and payment of the public moneys so intrusted to him for disbursement.

FORM NO. 12.—MILITIA.

This form is provided for an annual return to be made by the adjutant general of each State, Territory, and the District of Columbia, embodying all data concerning the organization and strength of the organized militia, considered necessary by the Secretary of War, under section 12, act of January 21,

1908. To be mailed so as to reach the adjutant general's office not later than March 1, of each year.

Since from this form is obtained the data for the annual report of the Secretary of War relative to the militia, and from it is compiled the annual roster of the organized militia, the greatest care should be given its preparation to the minutest detail. The printed instructions on the blank with the accompanying model, will insure a correct return.

Section 12. That there shall be appointed in each State, Territory, and District of Columbia, an adjutant general, who shall perform such duties as may be prescribed by the laws of such State, Territory, and District, respectively, and make returns to the Secretary of War, at such times and in such form as he shall from time to time prescribe, of the strength of the organized militia, and also make such reports as may from time to time be required by the Secretary of War. That the Secretary of War shall, with his annual report of each year, transmit to Congress an abstract of the returns and reports of the adjutants general of the States, Territories, and the District of Columbia, with such observations thereon as he may deem necessary for the information of Congress.

FORM NO. 13.—MILITIA.

This form will be used by the War Department to notify applicants for examinations under section 23 of the act to promote the efficiency of the militia, of the place and date of the proposed examination. This letter must be presented to the president of the examining board. "No person shall be examined unless he has a letter from the War Department authorizing his examination."

"Boards for the examination of applicants for commission in volunteer forces will be appointed by the Secretary of War, and will consist of five commissioned officers of the Regular Army of the United States, including two medical officers and a recorder. The duties of the medical officers will be confined to inquiry into and report upon the physical condition of the applicants.

* * * * *

"The proceedings of the boards will be forwarded to the Adjutant General of the Army.

"No applicant will be examined who is not a citizen of the United States or has not declared his intention to become

such; who, in the judgment of the board, is not physically qualified to discharge all the duties of an officer in active service; who has any mental infirmity or deformity of body, or whose moral fitness has not been clearly established. * * *

"The examination shall be especially directed to ascertain the practical capacity of the applicant, and the record of previous service of the applicant shall be considered as a part of the examination."

Section 23. That for the purpose of securing a list of persons specially qualified to hold commissions in any volunteer force which may hereafter be called for and organized under the authority of Congress, other than a force composed of organized militia, the Secretary of War is authorized from time to time to convene boards of officers at suitable and convenient army posts in different parts of the United States, who shall examine as to their qualifications for the command of troops or for the performance of staff duties all applicants who shall have served in the Regular Army of the United States, in any of the volunteer forces of the United States, or in the organized militia of any State or Territory or District of Columbia, or who, being a citizen of the United States, shall have attended or pursued a regular course of instruction in any military school or college of the United States Army, or shall have graduated from any educational institution to which an officer of the Army or Navy has been detailed as superintendent or professor pursuant to law after having creditably pursued the course of military instruction therein provided. Such examinations shall be under rules and regulations prescribed by the Secretary of War, and shall be especially directed to ascertain the practical capacity of the applicant. The record of previous service of the applicant shall be considered as a part of the examination. Upon the conclusion of each examination the board shall certify to the War Department its judgment as to the fitness of the applicant, stating the office, if any, which it deems him qualified to fill, and, upon approval by the President, the names of the persons certified to be qualified shall be inscribed in a register to be kept in the War Department for that purpose. The persons so certified and registered shall, subject to a physical examination at the time, constitute an eligible class for commissions pursuant to such certificates in any volunteer force hereafter called for and organized under the authority of Congress, other than a force composed of organized militia, and the President may authorize persons from this class, to attend and pursue a regular course of study at any military school or college of the United States other than the Military Academy at West Point and to receive from the annual appropriation for the support of the Army the same allowances and

commutations as provided in this act for officers of the organized militia: *Provided*, That no person shall be entitled to receive a commission as a second lieutenant after he shall have passed the age of thirty; as first lieutenant after he shall have passed the age of thirty-five; as captain after he shall have passed the age of forty; as major after he shall have passed the age of forty-five; as lieutenant-colonel after he shall have passed the age of fifty, or as colonel after he shall have passed the age of fifty-five: *And provided further*, That such appointments shall be distributed proportionately, as near as may be, among the various States contributing such volunteer force: *And provided*, That the appointments in this section provided for shall not be deemed to include appointments to any office in any company, troop, battery, battalion, or regiment of the organized militia which volunteers as a body or the officers of which are appointed by the governor of a State or Territory.

FORM NO. 14.—MILITIA.

This form is used as a notification under section 23 of the act of January 21, 1903, to the successful applicant that he has passed the required examination creditably, and of the further fact that he is borne on the rolls of the Department as qualified for the commission specified on its face.

The limitations for age are:

"Provided, That no person shall be entitled to receive a commission as a second lieutenant after he shall have passed the age of thirty; as first lieutenant after he shall have passed the age of thirty-five; as captain after he shall have passed the age of forty; as major after he shall have passed the age of forty-five; as lieutenant colonel after he shall have passed the age of fifty, or as colonel after he shall have passed the age of fifty-five."

FORM NO. 15.—MILITIA.

This form is used for the annual report of small-arms practice for those States that pursue "Special Course C." When this course is not used, such other form as shall give the general results of the practice will be submitted not later than the date specified on this blank. Model herewith.

Particular care should be given to the computation of the figure of merit. By it a means of comparison is instituted between companies and regiments pursuing the course.

Below is an illustration of the method of computing the figure of merit of a company. The division is carried only to one place of decimals:

Expert riflemen,	$2 \times 200 =$	400
Sharpshooters,	$5 \times 150 =$	750
Marksmen,	$8 \times 100 =$	800
First-class men,	$6 \times 75 =$	450
Second-class men,	$5 \times 50 =$	250
Third-class men,	$35 \times 10 =$	350
Fourth-class men,	$11 \times 0 =$	0

72)3000(41.6 figure of merit.



Report of Calendar Year 1903, Made Pursuant to

	Remarks.
Engineers	
Signal Corps	
Infantry:	
First	persons stated in G. O. No. — (date), copy herewith. G. O. No. — (date), copy herewith.
Separate	
1st	
Separate	
Artillery:	
Coast	
Field—	
1st	
Separate	G. O. No. — (date), copy herewith.
Cavalry:	
First	
Separate	
1st	
Separate	
Hospital Corps	
(Other organs)	

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I certify
Organized Part is correct:

Richard Roe,
Governor.

NOTES.

Marches should be conducted with full field equipment, company being present, and with the same formation and when in an enemy's country; the distance traversed to be the five practice marches were not consecutive, a note to be entered in column of "Remarks."

Encampment is meant either a State encampment or a National encampment for the purpose of instruction. At least two-thirds of the company must be present. At the same time, whenever troops are in camp, on guard duty, or on field instruction duty, and field instruction in drill and tactics is being conducted, the law is held to be complied with. Note, however, the effect.

Target practice is meant an occasion when the company, as a unit, practices on the range, at least two-thirds of the company being present, and target practice is conducted under its own officers.

Drill is meant a drill not during an encampment, at which officers were present, and during which the exercises lasted at least one hour.

Inspected by the State inspector, as well as date of inspection by the company, should be given.

If a company does not comply with the law, in the number of days required for drills and target practice, and the company is not inspected, the column of "Remarks" should contain the note: "_____ (here give reason)."

If the law is not carried out as stated, remark should be made to that effect.

Act of January 21, 1903, reads as follows:

"Every militia company furnished with material of war under the provisions of the act of January 21, 1903, shall, during the year next preceding each annual meeting, in accordance with section sixteen hundred and sixty-one of the laws of this State, have required every company, troop, and battery in this State to be inspected by the Governor of such State or Territory to pass or go into camp of instruction at least five consecutive days for drill and instruction at company, battalion, or regimental level for target practice not less than twenty-four times, and during such year an inspection of each such company, troop, or battery by an officer of such militia or an officer of the Regular Army."

If the sheet is not large enough to contain all the organizations of the militia, extra sheets may be added from the inside, in which case the bottom of the sheet will be cut from all but the last.

Form No. 11.—Militia.
(Authorized Jan. 2, 1904.)

MEMORANDA

OF AN

INSPECTION OF *17th Regiment Infantry,*

NATIONAL GUARD OF (*blank*)

LOCATED AT

Rollins, (Blank)

BY

Captain William H. Monroe, Artillery Corps, U. S. Army.

March 14, 1904.

NOTE.—The inspector may ask additional questions necessary to complete the information desired under Sections 3 and 14 of the Militia Act of 1903.
(To be made in duplicate.)

This form to be used for a single company.

**Return of¹ Company K, 17th Regiment, N. G., (blank)
at the annual inspection² March 14, 1904.**

PRESENT.												Aggregate.	Aggregate, last return.	Gain.	Loss.	
Captain.	First Lieutenant.	Second Lieutenant.	Total.	First Sergeant.	Q. M. Sergeant.	Sergeants.	Corporals.	Artificers.	Cooks.	Privates.	Total enlisted.					
1	1	1	3	1		3	6		1	1	37	49	52	53		1
ABSENT.												Aggregate.	Aggregate, last return.	Gain.	Loss.	
				1		1	1				15					18
PRESENT AND ABSENT.												Aggregate.	Aggregate, last return.	Gain.	Loss.	
1	1	1	3	1	1	4	7		1	1	52					67

REMARKS.³

Authorized strength, three officers, seventy-seven enlisted men. This company was organized September 21, 1903. Has not received all its equipments. Men very enthusiastic. Consider company well founded for future improvement and ultimate good service.

Captain W. P. Stone, 24 East Alabama street, Rollins (blank).

1st Lieut. J. T. Ellis, 40 Simpson street, Rollins (blank).

2d Lieut. E. H. Bell, 25 Walnut avenue, Rollins (blank).

*William P. Stone,
Place, Rollins (blank). Captain, Co. K, 4Commanding.*

NOTES.—¹Troop, battery, company, or separate company. ²Date of annual inspection by U. S. inspector, under Sections 3 and 14, Militia Act of 1903. ³Explanatory remarks as to the status of the organization. ⁴This return to be handed to U. S. officer before or immediately after the inspection.

Co. K, 17th Regt., N. G. (blank),

ANNUAL RETURN

AT THE INSPECTION HELD UNDER SEC.
14, MILITIA ACT, 1903.

This form to be used for a single company.

Inspection of¹ Company K, 17th Regiment, N. G., (blank)

Date, March 14, 1904.

1. Date of last inspection? *May, 1903.*
2. General appearance? *Good.*
3. What uniform was worn at inspection? *Dress.*
4. Is the organization completely uniformed for field service at any season of the year? If not, what are the deficiencies? *It is.*
5. In what respects does the uniform differ from that of the United States Army? *The dress uniform is the same; some difference in full dress.*
6. What is the condition of the uniform? *Generally good.*
7. What is the number and character of the arms in possession of the organization?² *See return herewith: Rifles, 70.*
8. Is the supply sufficient to fully arm all the members of the organization, present and absent? *Yes.*
9. What is the condition of the arms, including those not in the hands of men at inspection? *Fair.*
10. Was each man at inspection completely equipped? What deficiencies were noted? *He was.*
11. Is the supply in the organization ample to fully equip all the members, including those absent? What deficiencies exist? *It is.*
12. What is the condition of the whole equipment? *Very good.*
13. Is the organization fully supplied with tentage and camp and kitchen utensils? What deficiencies exist? *It is.*
14. What is the condition of the camp equipment? *Good.*
15. Does the organization of the command conform to that of like units in the United States Army? What deficiencies exist? *It does.*
16. Does the system of discipline and military instruction substantially conform to that of the United States Army? What variations, if any, were found? *It does; minor variations only.*
17. In your opinion, is this unit sufficiently armed, uniformed, and equipped for active duty in the field? *Yes.*
18. General remarks as to character of men, zeal, efficiency, and reliability of the command in domestic emergencies. *Men generally good character; seem to be zealous in their work; very efficient, and would do good duty in domestic emergencies.*

¹ Troop, battery, or company. ² The return of arms required by G. O. 71, War Department, 1903, should be made on the blank furnished by the inspector, namely, Militia Annual Return of Ordnance and Ordnance Stores.

This form to be used when a battalion or regiment is inspected, to be accompanied by returns and inspections of each company.

Summary of attendance of the¹ 17th Regiment, N. G., (blank) at the annual inspection (Sec. 14, Militia Act)² March 14, 1904.

Subdivisions.	Pres-ent.		Ab-sent.		Present and Absent.		Aggregate.	Horses.	Remarks. ⁵
	Officers.	Men.	Officers.	Men.	Officers.	Men.			
Field, staff, and N. C. staff.	7	7	2	1	9	8	17		<i>Horses are hired at State expense when needed.</i>
Hospital Corps	2	3	1		3	3	6		
Field music		17		3		20	20		
Band		18		2		20	20		
Company A	2	70		2	2	72	74		<i>Vacancy in grade of second lieutenant to be filled by election.</i>
B	2	65	1	5	3	70	73		
C	3	59		10	3	69	72		
D	1	62	2	8	3	70	73		
E	2	15	1	7	3	22	25		<i>Officers detained by private business. Strength reduced by opposition of labor unions.</i>
F	3	55		5	3	60	63		
G	2	40	1	15	3	55	58		
H	3	44		7	3	51	54		
I	2	60	1	2	3	62	65		
K	3	49		18	3	67	70		
L	3	52		4	3	56	59		
M	3	51		7	3	58	61		
Total	38	677	9	96	47	763	810		

John F. Adams,³

Captain, 17th Infantry, Adjutant.

George F. Coleman,

Colonel, ⁴Commanding.

NOTES.—¹ Battalion or regiment. ² Date. ³ Signature of Adjutant. ⁴ Signature of commanding officer. ⁵ Explanatory of deficiencies. Report to be furnished as soon as practicable after battalion or regimental formation.

¹ *17th Regiment, N. G. (blank).*

² *March 14, 1904.*

SUMMARY OF ATTENDANCE.

NOTE.—¹ Battalion or regiment. ² Date of inspection.

This company made an excellent appearance at inspection, being very clean in every respect. Drill and discipline fairly good.

The poor attendance is partly explained by the inspection coming on Saturday and a holiday; the stores were closed part of the day and reopened at night, and clerks, etc., could not get away.

This company has a good target range and practice is held every Saturday.

The records of this company are very well kept.

¹ William H. Monroe,

² Captain, Art. Corps, U. S. A., Inspector.

¹ Signature of inspecting officer. ² Rank of same.

DIVISIONS, BRIG.

Company, Troop, or Battery.					Designation.
Designation.	Commissioned Officers.	Actual Enlisted Strength.	1 Authorized Maximum Enlisted Strength.	2 Station.	
K	3	57	75	Concord	L
K	3	58	75	Northland	L
K	3	59	75	Preston	L
K	3	56	75	Spring City	L
K	3	67	75	Westminster	L
K	3	59	75	Becker	L
K	3	53	75	Cypress	L
K	3	63	75	Dorchester	
K	3	54	75	Fernbank	
K	3	50	75	Grand Mound	
10th	3	66	75	Marble Falls	11th

Divisions, Brigades, etc.	
<i>The National Guard</i>	1st, 2d
1st Brigade.....	7th, 8th
2d Brigade.....	11th, 12th
3d Brigade.....	1st Reg, 2d Reg, 4th Ba 10th B
4th Brigade.....	65th as 1st Bat 2d Bat 3d Bat
<i>Independent Organizations</i>	1st Sig, 2d Sig, 22d Re Squadr Troop Troop 1st, 2d, 13th Re 1st Con

ANNUAL RETURN OF THE ORGANIZED MILITIA

OF THE

State of (blank)

FOR THE YEAR ENDING

December 31, 1903.

This return is for the calendar year ending December 31, 190 , and is to be rendered by the Adjutant General of the State or Territory on or before the 1st of March of each year, to the Adjutant General, U. S. Army, Washington, D. C.—Sec. 12, Act of January 21, 1903.

EXPLANATORY NOTES.

General.—The information it is intended to elicit by the use of this blank is the actual and the authorized maximum strength of the National Guard of the State, the arms of service and the organizations constituting the same, together with the stations of all companies, troops, batteries, and corps, as well as detailed information relative to the organization of the Guard into divisions, brigades, regiments, etc.; the officers composing the staff of the Commander-in-Chief; those on duty at Headquarters of the Guard, as also the organizations thereto attached.

1. **Authorized maximum enlisted strength.**—Include under this heading the maximum number of enlisted men prescribed by State law for each organization of the National Guard, as well as that for all companies, troops, batteries, and corps provided for under existing statutes, but not yet organized; the omission of the actual strength, in the case of the latter, being sufficient evidence of their nonexistence. This with a view to determining what the strength of the National Guard would be when the prescribed maximum shall have been attained and compliance with all other provisions of the militia law, regarding numbers of organizations and arms of service, shall have been effected.

2. **Station.**—Under this heading the information should be explicit as to station of organization.

3. **Aggregate.**—Under this heading the sums of the total commissioned and enlisted strength, by organizations, should be included.

4. **Divisions, Brigades, Regiments, etc.**—Hereunder should be given the number and designations of the divisions into which the Guard is organized; the number and designations of the brigades composing divisions; the number and designations of the regiments, battalions, squadrons, batteries, corps, etc., composing brigades; and unattached battalions, squadrons, batteries, etc., not a part of any of the above-mentioned tactical organizations.

5. **Governor and Staff.**—This table should show the names of the Commander-in-Chief of the Guard and of the officers detailed for duty on his staff, together with their rank, the corps or staff department in which each is performing duty, and the post-office addresses of all.

6. **National Guard Headquarters.**—Under this heading should be shown the name, rank, and corps or staff department to which each has been assigned, of the officers performing duty at Headquarters of the National Guard, and, under the heading "Organizations attached," such organizations or corps as have been temporarily or permanently attached to the same.

7. **Publications issued under Sec. 17, Act of January 21, 1903.**—Publications rendered unserviceable by use or damage, or lost in service, after having been acted upon by a Board of Survey and condemned, may be dropped; when such publications as Drill Regulations, Guard Manual, Army Regulations, etc., become obsolete by the substitution of later authorities, they may be dropped as "obsolete."

Form No. 18.—Militia.

[Authorized December 29, 1903.]

WAR DEPARTMENT,

WASHINGTON, July 15, 1904

Mr. James L. Harrison,

Owego, New York.

SIR:

In compliance with your request of *June 3, 1904*, the Secretary of War authorizes you to present yourself at *Fort Hamilton, New York*, at 10 a. m., on *Tuesday, the 2d day of August, 1904*, for examination as to your qualification for commission as *captain*. You should report, at the place and hour stated, to *Major Thomas J. Smith, Artillery Corps*, president of the examining board.

By order of the Chief of Staff:

E. R. Hills,

Assistant Adjutant General.

Form No. 14.—Militia.

[Authorized December 29, 1903.]

WAR DEPARTMENT,

WASHINGTON, September 1st, 1904.

Mr. James L. Harrison,

Owego, New York.

SIR:

I have the honor to inform you that, under the provisions of section 23 of the act approved January 21, 1903, entitled "An act to promote the efficiency of the militia, etc.," and with the approval of the President, record has been made in this Department of the fact that you have undergone examination, in accordance with regulations prescribed by the Secretary of War, and that the duly constituted board in your case has submitted a certificate stating that you are qualified for commission as *captain* in any volunteer force which may hereafter be called for under the authority of Congress.

This qualification will expire, by limitation of your age, *October 19, 1914.*

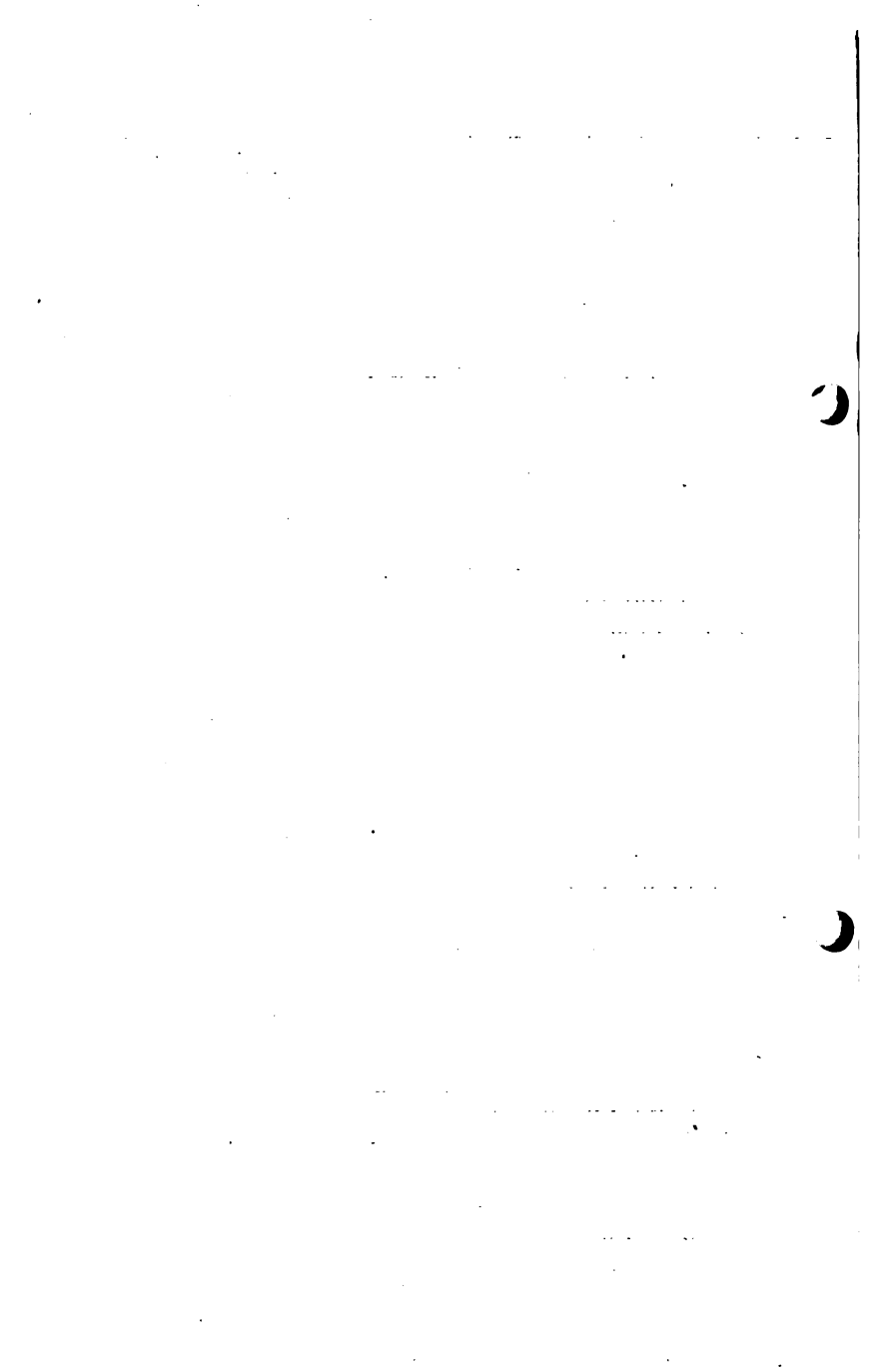
Please acknowledge receipt, and when a call for a volunteer force seems imminent notify the Adjutant General, U. S. Army, Washington, D. C., of your address.

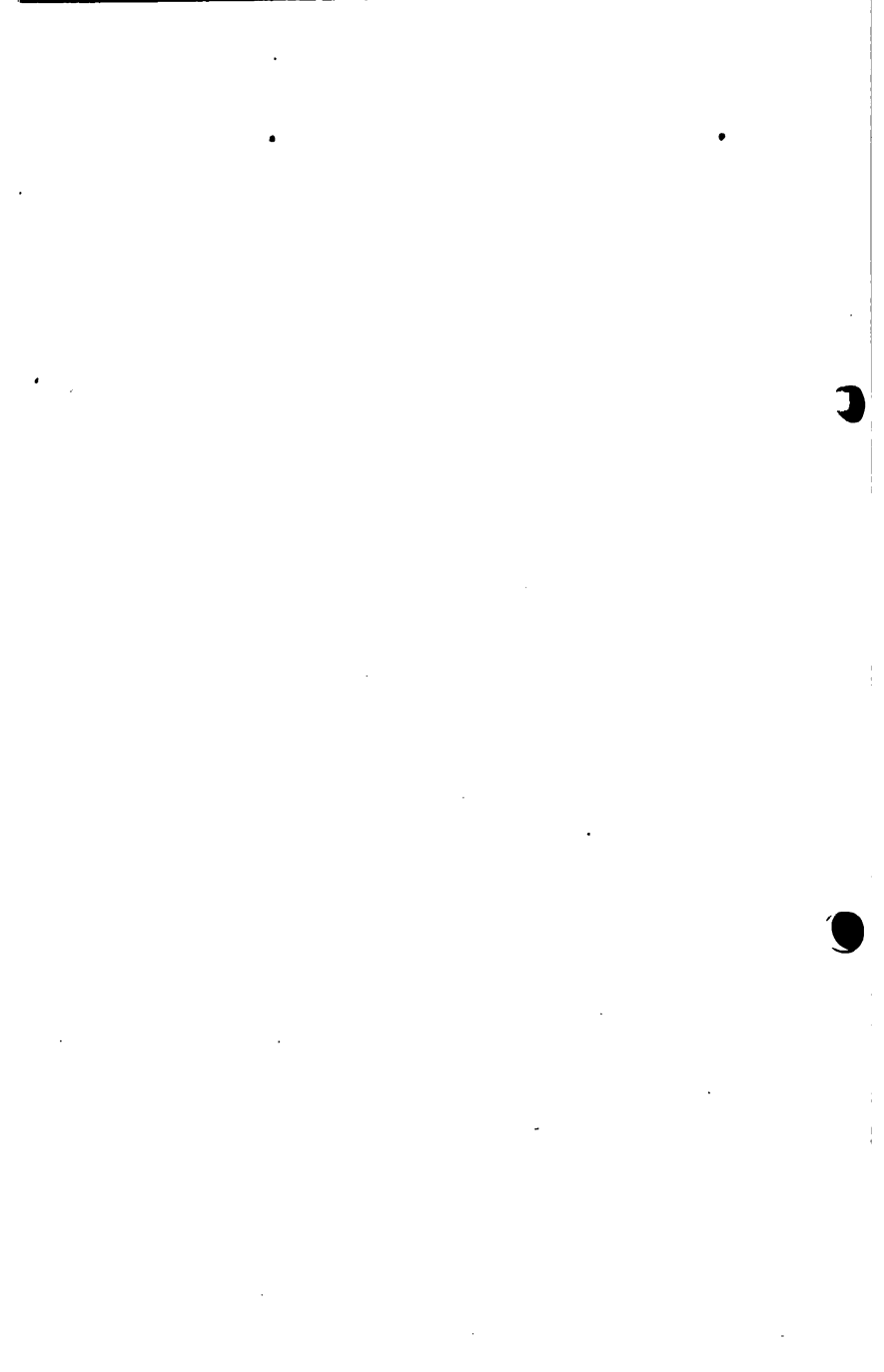
Very respectfully,

John Doe,

Assistant Adjutant General.

Organization.	Remarks.
Regiment.	Company.
1st Infantry -----	F. 4 A. 4 B. 4 C. 4 D. 4 E. 4 F. 4 G. 4 H. 4 I. 4 J. 4 K. 4 L. 4 M. 4
Total -----	
2d Infantry -----	F. 4 A. 4 B. 4 C. 4 D. 4 E. 4 F. 4 G. 4 H. 4 I. 4 J. 4 K. 4 L. 4 M. 4
Total -----	
3d Infantry -----	F. 4 A. 4 B. 4 C. 4 D. 4 E. 4 F. 4 G. 4 H. 4 I. 4 J. 4 K. 4 L. 4 M. 4
Total -----	
10th Separate Battalion Infantry -----	F. 4 A. 4 B. 4 C. 4 D. 4
Total -----	
1st Cavalry -----	Two recruits, 7 sick.
Field Artillery -----	1st and carbine firing done with Springfield rifle and carbine, 45.
Grand Total -----	





CIRCULAR, }
No. 10. }

WAR DEPARTMENT,
WASHINGTON, *March 7, 1904.*

By direction of the Secretary of War, Circular, No. 40, Headquarters of the Army, Adjutant General's Office, Washington, July 18, 1903, is amended to read as follows:

To carry out the provisions of General Orders, No. 89, Headquarters of the Army, Adjutant General's Office, June 22, 1903, future issues of engineer supplies to officers' schools will be made only under specific authority given in the case of each school by the Chief of Engineers.

Special blank forms of requisitions will be used in connection with the engineer property for the use of post schools for officers.

In the matter of accounting for engineer property issued to officers' schools the special forms of invoices, receipts, and returns now in use will be discontinued and in lieu of these the authorized forms for transferring and accounting for general engineer property will hereafter be used.

All engineer property, including property issued to officers' schools, in the hands of post engineer officers should hereafter be accounted for on a single return.

Separate returns for post schools for officers will no longer be required.

Blank forms will be supplied as needed by the Chief of Engineers.

To avoid delay the requisitions, after approval by the post commanders, will be submitted by the post engineer officer to the Chief of Engineers through the division engineer officer; the latter will indorse on the requisition how many of the desired articles there are at division headquarters available for issue.

BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.



CIRCULAR, }
No. 11. }

WAR DEPARTMENT,
WASHINGTON, *March 30, 1904.*

It being apparent that there is some uncertainty as to the present effect of General Orders, No. 81, Headquarters of the Army, Adjutant General's Office, July 17, 1902, in regard to the personal equipment of officers, it is announced that General Orders, No. 132, Headquarters of the Army, Adjutant General's Office, December 31, 1902, does not revoke the requirements of General Orders, No. 81, in that particular. It refers to the matter of equipment on page 37, providing in general terms that "officers will provide themselves with arms and the articles of personal equipment or of horse equipments pertaining to their rank and duty;" the articles so pertaining are those specified in detail on page 47 of General Orders, No. 81, Headquarters of the Army, Adjutant General's Office, of 1902.

BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

CIRCULAR, }
No. 12. }

WAR DEPARTMENT,
WASHINGTON, *March 31, 1904.*

The following is published to the Army and the organized militia for the information and guidance of all concerned:

WAR DEPARTMENT,
WASHINGTON, *March 28, 1904.*

The supervision of the War Department Library having been assigned to the General Staff, the chief of the Second (Military Information) Division thereof is hereby designated to relieve the Chief Signal Officer of the Army of that duty, and also of the distribution of public documents pertaining to the War Department under the provisions of section 2, act of January 12, 1895, and in accordance with instructions contained in War Department Circulars of March 20, 1895, and February 14, 1902, War Department Orders of January 5, 1903, and such other instructions, verbal or written, as from time to time may have been issued by the Department.

WM. H. TAFT,
Secretary of War.

All requisitions and requests for publications or documents or supplies, and all reports and returns for such property, that under existing law and regulations are now made to the Chief Signal Officer of the Army, or to "Brigadier General A. W. Greely, Chief Signal Officer, in supervisory charge of the War Department Library," and of the distribution of War Department documents, will in future be made to the chief of the Second Division, General Staff.

BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

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WAR DEPARTMENT
OFFICE OF THE ADJUTANT GENERAL,
WASHINGTON, April 2, 1904.

The Commanding Officer,
Company K, 9th Infantry,
Through Headquarters, Department of the East.

Sir:

Referring to your communication of the 25th ultimo, requesting to be informed if the provisions of General Orders No. 48, War Department, current series, requiring that the price of purchase shall be added to the soldier's travel allowance, means that the soldier shall have no travel allowance coming to him at the time of his discharge, I am directed by the Chief of Staff to inform you that a soldier discharged under the provisions of the General Orders cited above will be charged an amount equal to his travel allowances in addition to the purchase price; that it will be the province of the paymaster to ascertain the travel allowances, include them in the soldier's pay account and collect the whole as a stoppage, and that so far as the soldier is concerned it is equivalent to no travel allowance.

Very respectfully,

E. R. HILLS,
Assistant Adjutant General.

The Commanding General,
Department of the Columbia,
Vancouver Barracks, Washington.

WAR DEPARTMENT
OFFICE OF THE ADJUTANT GENERAL,
WASHINGTON, April 8, 1904.

The Commanding General,
Department of the Columbia,
Vancouver Barracks, Washington.

Sir:

Referring to General Orders No. 48, War Department, current series, paragraph 4, section 1, and to paragraph 1, section 1, in which it is stated that "the travel allowances x x x x will in all cases form a part of the purchase price," the Secretary of War directs that your attention be invited to the necessity of making the remission which is referred to in paragraph 4, in terms of dollars and cents and not in

a fractional part of the "purchase price" which would include a fractional part of the travel allowances.

While the order is not entirely explicit on this point, it was the intention of the Department that the remission referred to in paragraph 4 should extend only to the amounts set forth in the schedule of paragraph 1, section 1, and that the travel allowances should always be forfeited as heretofore under paragraph 156, A. R.

Very respectfully,

W. P. HALL,
Acting Adjutant General.

HEADQUARTERS DEPARTMENT OF THE COLUMBIA
VANCOUVER BARRACKS, WASHINGTON,

April 15, 1904.

Official copy respectfully furnished the Commanding
Officer, Vancouver Barracks, Washington.

By command of Brigadier General FUNSTON: . . .

R. K. EVANS,
Major, Adjutant General.

CIRCULAR, }
No. 13. }

WAR DEPARTMENT,
WASHINGTON, *April 5, 1904.*

The accompanying list, corrected to present date, showing surety companies which have qualified to do business in the State in which incorporated, showing also the United States judicial districts in other States and Territories in which each has complied with section 2, act of August 13, 1894, and paragraph 656 of the Army Regulations, is published for the information of all concerned.

BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

*List showing Surety Companies which have qualified to do
U. S. Judicial Districts in other States and Terri
of August 13, 1894, and Army*

NAME OF COMPANY.	ALA.			ALAS. ARIZ.		ARK.		CAL.		COLO.		CONN.
	Nn.	Mid.	Sn.			En.	Wn.	Nn.	Sn.			
American Surety Company of New York, 100 Broadway, New York, N. Y.	x	x	x	x	x	x	x	x	x	x	x	x
Fidelity and Deposit Company of Maryland, corner Charles and Lexington sts., Baltimore, Md.	x	x	x	x	x	x	x	x	x	x	x	x
American Bonding Co. of Baltimore, Md.	x	x	x	x	x	x	x	x	x	x	x	x
The City Trust Safe Deposit and Surety Co. of Philadelphia, 927 Chestnut st., Phila., Pa.	x	x	x	x	x	x	x	x	x	x	x	x
The Fidelity and Casualty Company of New York, 99 to 103 Cedar st., New York, N. Y.	x	x	x			x	x	x	x	x	x	x
The U. S. Fidelity and Guaranty Company, S.W. cor. Calvert and German sts., Baltimore, Md.	x	x	x	x	x	x	x	x	x	x	x	x
The Mercantile Trust Co., Pittsburg, Pa.	x	x	x	x	x	x	x	x	x	x	x	x
National Surety Company, New York, N. Y.	x	x	x	x	x	x	x	x	x	x	x	x
The Equitable Guarantee and Trust Company, N.W. cor. 9th and Market sts., Wilmington, Del.												
The Union Trust Co. of Pittsburg, Pittsburg, Pa.												
The Aetna Indemnity Company, Hartford, Conn.	x	x	x	x	x	x	x	x	x	x	x	=
The Union Safe Deposit and Trust Company, Portland, Me.												
Pacific Surety Company, San Francisco, Cal.				x				=		x		
Virginia Trust Company, Richmond, Va.												
The Equitable Trust Co. of Pittsburg, Ptsbg., Pa.												
United States Guarantee Co., New York, N. Y.												
Citizens' Trust and Guaranty Co., Parkersburg, W. Va.	x	x	x	x	x	x	x	x	x	x	x	x
The Bankers Surety Co., Cleveland, Ohio.						x	x			x		
The Continental Title and Trust Co., Phila., Pa.												
The Empire State Surety Co., New York, N. Y.												
The Title Guaranty and Trust Co. of Scranton, Pa.	x	x	x			x	x	x	x	x	x	x
Federal Union Surety Co., Indianapolis, Ind.												
Industrial Trust, Title and Savings Co., Philadelphia, Pa.												
The Security Title and Trust Co., York, Pa.												

LEGEND: = indicates State in which incorporated

*List showing Surety Companies which have qualified to do
U. S. Judicial Districts in other States and Terri-
of August 13, 1894, and Army Regu*

NAME OF COMPANY.	MONT.	NEBR.	NEV.	N. C.	N. DAK.	N. H.	N. J.	N. MEX.
				En.	Wd.			
American Surety Company of New York, 100 Broad- way, New York, N. Y.	x	x	x	x	x	x	x	x
Fidelity and Deposit Company of Maryland, corner Charles and Lexington sts., Baltimore, Md.	x	x	x	x	x	x	x	x
American Bonding Co. of Baltimore, Md.	x	x	x	x	x	x	x	x
The City Trust Safe Deposit and Surety Co. of Phila- delphia, 927 Chestnut st., Phila., Pa.	x	x	x	x	x	x	x	x
The Fidelity and Casualty Company of New York 99 to 103 Cedar st., New York, N. Y.	x	x		x	x	x	x	
The U. S. Fidelity and Guaranty Company, S.W. cor. Calvert and German sts., Baltimore, Md.	x	x	x	x	x	x	x	x
The Mercantile Trust Co., Pittsburg, Pa.	x	x	x	x	x	x	x	x
National Surety Company, New York, N. Y.	x	x	x	x	x	x	x	x
The Equitable Guarantee and Trust Company, NW cor. 9th and Market sts., Wilmington, Del.								
The Union Trust Co. of Pittsburg, Pittsburg, Pa.	x	x	x	x	x	x	x	x
The Aetna Indemnity Company, Hartford, Conn.								
The Union Safe Deposit and Trust Company, Port- land, Me.								
Pacific Surety Company, San Francisco, Cal.	x	x	x					
Virginia Trust Company, Richmond, Va.								
The Equitable Trust Co. of Pittsburg, Ptsbg., Pa.								
United States Guarantee Co., New York, N. Y.								
Citizens' Trust and Guaranty Co., Parkersburg, W. Va.	x	x	x	x	x	x	x	x
The Bankers' Surety Co., Cleveland, Ohio.		x			x			
The Continental Title and Trust Co., Phila Pa.								
The Empire State Surety Co., New York, N. Y.								
The Title Guaranty and Trust Co. of Scranton, Pa.	x	x	x	x	x	x	x	x
Federal Union Surety Co., Indianapolis, Ind.								
Industrial Trust, Title and Savings Co., Philadel- phia, Pa.								
The Security, Title and Trust Co., York, Pa.								

LEGEND: = indicates State in which incorporated

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CIRCULAR, }
No. 14. }

WAR DEPARTMENT,
WASHINGTON, April 6, 1904.

Section 4, paragraph II, Circular, No. 9, Headquarters of the Army, Adjutant General's Office, Washington, March 7, 1903, is amended to read as follows:

Recruiting officers and members of their recruiting parties will be in uniform when on duty as such. When a recruiting party consists of two or more enlisted men one man of soldierly bearing and properly uniformed will be posted at the main entrance of the recruiting station during at least three hours of each week day to answer inquiries and direct applicants to the recruiting office. While thus posted the soldier will wear the belt prescribed for the uniform worn by him.

Arms will not be issued to recruiting parties.

BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.



CIRCULAR, }
No. 15. }

WAR DEPARTMENT,
WASHINGTON, April 7, 1904.

Circular letter of October 19, 1899, to department commanders is hereby modified and reissued as follows:

The Secretary of War directs that permission be granted to the Army Young Men's Christian Association to establish its work at the various posts of the Army in the United States and in the Islands of Porto Rico and the Philippines, and commanding officers are enjoined to facilitate the efforts of this association to provide helpful, physical, intellectual, and unsectarian religious influences by providing therefor suitable quarters which may be in the post exchange buildings if room is there available and its use for such purpose is deemed wise by the commanding officer. The privileges granted hereunder are subject to the control of commanding officers and should be so defined as not to interfere with military operations and discipline.

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.



CIRCULAR }
No. 16. }

WAR DEPARTMENT,
WASHINGTON, D. C., *April 18, 1904.*

The following is published for the information and guidance of all concerned:

1. The retest of lots of smokeless powders that have been in store for a year or more has shown a slight change in their ballistic qualities and in consequence new charges have been established, for all lots retested, to give the standard velocities.

When lots have not been retested the instructions contained in G. O., No. 77, of 1903, will be followed.

These charges and velocities, together with other information relating to the test, are given in Table II, following.

2. The charges on hand to be used in target practice, when greater than those here given, will be reduced; when less they will be used without change, the corresponding velocity being computed from the formula:

$$\frac{V}{V_1} = \frac{(W)^y}{(W_1)}$$

The average value of y is: For nitrocellulose powder, $y = 1.2$; for nitroglycerin powder, $y = 0.8$.

3. For a given weight of charge the velocity increases slightly with the temperature of the powder at the instant of firing, and for a given increase of temperature this increase in velocity varies with the initial velocity.

For all lots of powder tested recently the charges have been adjusted to give the prescribed velocities when fired at the standard temperature of 70° . In the earlier tests only the temperature of the air was recorded, and for these lots but slight error will result from taking this as the temperature of the powder.

According to the data available at present, the following table gives the corrections for temperature:

TABLE I.

Temp., degs. F.	Normal initial velocities.														
	833	917	980	1056	1148	1220	2000	2100	2150	2200	2250	2400	2600		
10	27	30	32	34	38	40	65	67	69	71	72	77	84	To be deducted from normal initial velocity.	
0	26	29	31	33	37	39	63	66	67	69	70	75	81		
10	25	28	29	31	35	37	60	62	64	66	67	71	77		
20	23	26	27	29	32	34	55	58	59	61	62	66	71		
30	20	23	24	25	29	30	49	51	53	54	55	59	64		
40	17	19	20	21	24	25	41	43	44	46	46	49	53		
50	13	14	15	16	18	19	30	32	33	34	34	36	39		
60	7	8	8	9	10	10	17	18	18	19	19	20	22	To be added to normal initial velocity.	
70	0	0	0	0	0	0	0	0	0	0	0	0	0		
80	9	9	10	11	12	13	21	22	22	23	24	26	28		
90	19	21	22	24	26	28	46	48	50	50	52	56	60		
100	32	35	37	41	44	47	77	81	82	84	87	92	100		

This table applies to lots tested at a temperature of 70°.

For those lots not tested at 70°, information can be obtained from this table for making the desired correction in velocity due to difference in temperature of powder when tested and when fired.

For example, if powder was tested at 60° and the charge fixed for 2,250 f. s. and was fired at 80°, from the table the increase in velocity to be expected would be $24 + 19 = 43$ feet.

The above table applies more particularly to nitrocellulose powders, but may be applied to nitroglycerin powders also with but slight error.

4. The powder charge should not be left in the gun for any considerable time before firing. If a number of rounds have just been fired in the gun, the temperature of the charge might thereby be increased several degrees.

5. The conditions for each shot should be as uniform as practicable. To secure this for the first shot, the bore, including the powder chamber, should be thoroughly cleaned before firing. The presence of the lubricant used for protection in the bore of the gun results in a material reduction in the velocity.

6. The percentage of moisture and solvent in powder has a marked effect upon the velocity, and any exposure which would tend to change the percentage present should be avoided.

Smokeless powder should not be exposed to the direct rays of the sun.

7. The changes directed herein should be made in those charges only that are to be used in firing and only immediately before the firing takes place.

8. The weight marked on a charge or a section of a charge of smokeless powder as issued is the weight of the smokeless powder only. It does not include the weight of the igniting powder or of the bag.

9. Any loose powder resulting from reductions directed herein will be disposed of as directed in Circular No. 12, dated War Department, Washington, September 28, 1903.

10. Ordnance officers at seacoast fortifications will, upon the receipt of this order, ship to the Commanding Officer, Sandy Hook Proving Ground, N. J., charges of powder on hand, if any, marked "Lot 1, 1900, 12-inch Rifle, DuPont's," and submit requisitions for charges to replace them.

BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,

Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,

Acting Adjutant General.

TABLE II.—*Test of smokeless powder.*

Gun.	Lot of powder.	Weight of projectile.	Temperature of atmosphere.	Temperature of charge.	Charge without igniter.	Muzzle velocity.	Maximum pressure.	Date of test.
		<i>Lbs.</i>			<i>Lbs.</i>	<i> Ft. per sec.</i>	<i>Lbs. per sq. in.</i>	
5-inch R. F. gun, mod. '97	C. P. W. No. 1, '00	55	67	70	15.31	2,600	34,200	Oct., '03.
	No. 2, '01	55	67	70	15.375	2,600	33,600	Oct., '03.
	DuP. No. 6, '00	55	50	70	14.50	2,575	35,000	Feb., '03.
	Int. No. 1, '01	55	78	70	16.58	2,600	33,500	Apr., '03.
	No. 3, '01	55	42	70	16.75	2,600	33,400	Apr., '03.
	L. & R. No. 1, '01	55	48	70	15.875	2,600	33,000	Feb., '03.
	No. 2, '01	55	38	70	16.10	2,600	33,000	Mar., '03.
	No. 3, '01	55	43	70	15.25	2,600	32,000	Mar., '03.
	C. P. W. No. 1, '00	100	52	70	27.125	2,600	32,000	Oct., '03.
	No. 2, '00	100	38	70	28.125	2,600	35,000	Oct., '03.
6-inch R. F. gun, mod. '97	No. 3, '00	100	61	70	32	2,600	32,500	Oct., '03.
	DuP. No. 1, '00, NN*				28	2,650	31,600	Jan., '00.
					25.5	2,600	32,000	Mar., '03.
	No. 2, '00	100	50	70	27.75	2,600	32,000	Mar., '03.
	No. 3, '00	100	42	70	28.25	2,600	32,000	Mar., '03.
	L. & R. No. 1, '01	100	61	70	27	2,600	36,000	Apr., '03.
	(a) (b) (a) (a)							

8-inch B. L. rifle, mod. '88	C. P. W. No. 2, '01 No. 3, '02	300	30	70	75 77.75	2,200 2,200	32,250 33,750	Dec., '03. Dec., '03.
	L. & B. No. 1, '01	300	45	70	74	2,200	34,000	Apr., '03.
	DuP. No. 1, '00	300	38	70	71.25	2,200	35,400	Mar., '04.
10-inch B. L. rifle, mod. '88 and '96, (b)	C. P. W. No. 1, '00 No. 2, '00	575 575 575	60 76 45	70	133 136.5 138.5	2,250 2,300 2,250	36,200 37,500	Oct., '03. Aug., '00.
	No. 4, '00	575	74	70	140.5	2,250	34,500	Oct., '03.
(b)	DuP. No. 1, '00	575	74	70	145 143	2,300 2,250	36,000	Dec., '00.
	No. 2, '01	575	38	70	161.75	2,250	33,400	Mar., '04.
	No. 3, '01	575	24	70	151	2,250	32,500	Feb., '04.
	No. 4, '01	575	48	70	150	2,250	34,500	Apr., '03.
	Int. No. 1, '01	575	60	66	161	2,250	34,800	Sept., '03.
	No. 2, '02	575	60	66	168	2,250	32,000	Apr., '03.
(b)	L. & B. No. 1, '01	575	66	66	166	2,300	37,000	May, '01.
	No. 2, '01	575	47	66	162	2,250	37,000	Dec., '02.
(b)	No. 3, '01	575	69	66	152	2,250	34,200	Apr., '03.
	No. 4, '02	575	63	66	160	2,250	33,400	Sept., '03.
	No. 5, '02	575	59	64	156.5	2,250	31,500	Oct., '03.

(a) Intended for 6-inch Brown segmental gun.

(b) Reduced to this charge by G. O. 77, 1903.

* Lot markings which include marks NN (nitroglycerin nitrocellulose) are nitroglycerin powders; all other lots are pure nitrocellulose.

TABLE II.—*Test of smokeless powder—Continued.*

Gun.	Lot of powder.	Weight of projectile.	Temperature of atmosphere.	Temperature of charge.	Charge without igniter.	Muzzle velocity.	Maximum pressure.	Date of test.
		<i>Lbs.</i>			<i>Lbs.</i>	<i>Ft. per sec.</i>	<i>Lbs. per sq. in.</i>	
12-inch B. L. rifle, mod. '95	C. P. W. No. 1, '00	1,000	68	70	246	2,250	36,100	Oct., '02.
	No. 2, '00	1,000	68	70	261.5	2,250	33,800	Oct., '03.
	No. 3, '01	1,000	42		274	2,300	36,000	Mar., '01.
	No. 5, '01	1,000	71	70	268	2,250	34,250	Oct., '03.
(b)	DaP. No. 2, '01	1,000	40		282	2,300	36,500	Mar., '01.
	No. 3, '01	1,000	50	70	266	2,250	32,500	Mar., '04.
	No. 4, '01	1,000	49		272	2,300	36,000	Apr., '01.
	No. 5, '01	1,000	22	70	266	2,250	35,000	Feb., '04.
(b)	No. 6, '01	1,000	67	67	287.5	2,250	34,000	June, '03.
	No. 7, '01	1,000	64	60	273.5	2,250	31,000	Oct., '03.
	No. 8, '01	1,000	82	70	270	2,250	33,000	Sept., '03.
	Int. No. 1, '01	1,000	63		281	2,250	33,600	June, '03.
(b)	L. & B. No. 2, '01	1,000	65		277	2,300	37,000	Oct., '01.
	No. 3, '01	1,000	59		271	2,250	36,000	Apr., '03.
		1,000		70	276	2,250		

(b) Reduced to this charge by G. O. 77, 1903.

Gun.	Lot of powder.	Zone.	Weight of projectile.	Temperature of atmosphere.	Temperature of charge.	Weight of charge without igniter.	Muzzle velocity.	Maximum pressure.	Date of test.
			Lbs.			Lbs.	Ft. per sec.	Lbs. per sq. in.	
12-inch B. L. mortar, mod. '90 and '90 Mi.	DuPont, No. 1, '00	6	800	47	---	35.75	853	---	Mar., '03.
		7	800	47	---	38.75	917	---	Mar., '03.
		8	800	47	---	42.25	980	---	Mar., '03.
		9	800	47	---	46	1,056	---	Mar., '03.
		10	800	47	---	50.25	1,148	---	Mar., '03.
	DuPont, No. 2, '00	11	800	47	---	54.25	1,220	25,400	Mar., '03.
		6	800	50	---	35	853	---	Mar., '03.
		7	800	50	---	38.25	917	---	Mar., '03.
		8	800	50	---	41.75	980	---	Mar., '03.
		9	800	50	---	45.5	1,056	---	Mar., '03.
DuPont, No. 3, '01		10	800	50	---	50.25	1,148	---	Mar., '03.
		11	800	50	---	53.75	1,220	25,700	Mar., '03.
		6	800	47	---	33	853	---	Feb., '03.
		7	800	47	---	36	917	---	Feb., '03.
		8	800	47	---	39.20	980	---	Feb., '03.
		9	800	47	---	43.20	1,056	---	Feb., '03.
		10	800	47	---	48	1,148	---	Feb., '03.
		11	800	47	---	52	1,220	26,800	Feb., '03.
		6	800	58	---	36	853	---	Apr., '03.
		7	800	58	---	39.75	917	---	Apr., '03.
DuPont, No. 4, '02		8	800	58	---	42.75	980	---	Apr., '03.
		9	800	58	---	46.75	1,056	---	Apr., '03.
		10	800	58	---	51	1,148	---	Apr., '03.
		11	800	58	---	55	1,220	26,400	Apr., '03.
	DuPont, No. 7, '02, NN*	6	800	41	---	38	853	---	Mar., '03.
		7	800	41	---	41	917	---	Mar., '03.
		8	800	41	---	43.50	980	---	Mar., '03.
		9	800	41	---	46.75	1,056	---	Mar., '03.
		10	800	41	---	50.75	1,148	---	Mar., '03.
		11	800	41	---	53.50	1,220	25,400	Mar., '03.

* Lot markings which include marks NN (nitroglycerin nitrocellulose) are nitroglycerin powders; all other lots are pure nitrocellulose.

TABLE II.—Test of smokeless powder—Continued.

Gun.	Lot of powder.	Zone.	Weight of projectile.	Temperature of atmosphere.	Temperature of charge.	Weight of charge without igniter.	Muzzle velocity.	Maximum pressure.	Date of test.
			Lbs.			Lbs.	<i>Ft. per sec.</i>	<i>Lbs. per sq. in.</i>	
12-inch B. L. mortar, mods. '90 and '90 Ml.	L. & B., No. 1, '98, NN*	6	800	74	78	29.25	853	---	Aug., '03.
		7	800	74	78	32	917	---	Sept., '03.
		8	800	74	78	35.50	980	---	Sept., '03.
		9	800	74	78	38.50	1,066	---	Sept., '03.
		10	800	74	78	42.50	1,148	---	Sept., '03.
		11	800	74	78	45.50	1,220	---	Sept., '03.
		6	800	54	49	33.75	853	---	Nov., '03.
		7	800	54	49	37.25	917	---	Nov., '03.
		8	800	54	49	40.75	980	---	Nov., '03.
		9	800	54	49	44.75	1,066	---	Nov., '03.
		10	800	54	49	49.50	1,148	---	Nov., '03.
	G. P. W., No. 1, '01---	11	800	54	49	53.25	1,220	---	Nov., '03.
		6	800	67	---	34.20	853	---	Oct., '01.
		7	800	67	---	37.70	917	---	Dec., '01.
		8	800	67	---	40.50	980	---	Dec., '01.
		9	800	67	---	44.75	1,066	---	Dec., '01.
	G. P. W., No. 3, '02---	10	800	67	---	49.60	1,148	---	Dec., '01.
		11	800	67	---	53.40	1,220	---	Dec., '01.
		6	800	32	---	34.38	853	---	Nov., '03.
		7	800	32	---	38	917	---	Nov., '03.
		8	800	32	---	41.69	980	---	Nov., '03.
12-inch B. L. mortar, mods. '86 and '86-'90 Ml.	C. P. W., No. 3, '02---	9	800	32	---	46	1,066	---	Nov., '03.
		10	800	32	---	51	1,148	---	Nov., '03.
		11	800	32	---	54.63	1,220	---	Nov., '03.
	DuPont, No. 2, '00---	9	800	51	---	40	1,066	---	Nov., '03.
		10	800	51	---	45	1,148	---	Apr., '03.
		11	800	40	---	45.75	1,066	---	Dec., '03.
	DuPont, No. 11, '02---	9	800	40	---	49	1,148	---	Dec., '03.
		10	800	40	---	---	---	---	Dec., '03.
		---	---	---	---	---	---	---	---
		---	---	---	---	---	---	---	---

* Lot markings which include marks NN (nitroglycerin nitrocellulose) are nitroglycerin powders; all other lots are pure nitrocellulose.

CIRCULAR, }
No. 17. }

WAR DEPARTMENT,
WASHINGTON, May 8, 1904.

The following decision of the Comptroller of the Treasury is published for the information and guidance of all concerned:

A forfeiture of pay does not include clothing allowance. Forfeiture can run only so long as the soldier remains in the service under his current enlistment, as his discharge operates as a remission of the unexecuted part of the forfeiture. A balance of accrued forfeiture at date of discharge can not be deducted from clothing money due the soldier.

Appeal No. 9830.

Forfeitures.

TREASURY DEPARTMENT,
OFFICE OF THE COMPTROLLER OF THE TREASURY,

February 29, 1904.

Arch Wilkinson appealed January 8, 1904, from the action of the Auditor for the War Department in settlement No. 407636, dated January 19, 1904.

He claimed \$32.85 clothing allowances, under General Orders, No. 57, War Department, dated December 1, 1903, as second-class private, Company H, 2d Battalion of Engineers.

The Auditor disallowed the claim because—

As he did not draw the new pattern overcoat the amount due is only \$15.50, which is offset by summary court fine not deducted from his final pay.

Paragraph 2, General Orders, No. 57, dated December 1, 1903, provides:

The clothing money allowance established by General Orders, No. 95, Headquarters of the Army, Adjutant General's Office, July 1, 1903, on pages 8 and 9, is increased by the sum of \$32.85 for all enlisted men who have drawn or who may hereafter draw the new pattern clothing, regardless of the year of enlistment in which the clothing may be drawn.

The increase in clothing money provided by the above order was obviously for the purpose of enabling the men to procure the new style of uniform without the deduction of the expense thereof from their regular clothing allowance.

The Record and Pension Office, December 22, 1903, reports that—

Private *Arch Wilkinson* drew all of the new pattern uniform except the overcoat.

The value of the excepted garment, as given in the latest clothing list, is \$17.35.

Claimant is therefore entitled to reimbursement under General Orders, No. 57, *supra*, to the difference between \$32.85, total amount allowed for new pattern clothing, less \$17.35, value of the overcoat which he did not draw, or \$15.50, actual value of new pattern clothing drawn.

Ten days prior to his discharge, however, November 17, 1903, he was sentenced by a summary court "to forfeit twenty dollars." At the date of his discharge, November 26, 1903, there was pay due him amounting to \$12.13. From the amount due him on final settlement the paymaster deducted among other items \$4.87 on account of summary court forfeiture, being ten days' pay at \$14 per month, accruing to the claimant from No.

vember 17, 1903, date of sentence by summary court, to November 26, 1903, date of discharge. The balance of the fine, \$15.33, is uncollected, and the question now arises as to whether this may be stopped against the \$15.50 due him for clothing under the order of December 1, 1903, *supra*.

The jurisdiction of summary courts is defined by section 4, act of March 2, 1901 (31 Stat., 851), which provides:

Regimental and garrison courts-martial and summary courts detailed under existing laws to try enlisted men shall not have power to try capital cases or commissioned officers, but shall have power to award punishment *not to exceed confinement at hard labor for three months or forfeiture of three months' pay*, or both, and in addition thereto, in the case of non-commissioned officers, reduction to the ranks, and in the case of first-class privates, reduction to second-class privates: *Provided*, That a summary court shall not adjudge confinement and forfeiture in excess of a period of one month, unless the accused shall before trial consent in writing to trial by said court, but in any case of refusal to so consent, the trial may be had either by general, regimental, or garrison court-martial, or by said summary court, but in case of trial by said summary court without consent as aforesaid, the court shall not adjudge confinement or *forfeiture of pay* for more than one month.

An examination of the proceedings of the summary court shows the consent of the claimant to trial by said court and the forfeiture was not therefore excessive.

The above statute is a penal one and as such must be strictly construed. The only forfeiture authorized thereby is the forfeiture of the *pay* of a soldier for a period of three months or less, and not of a sum of money equivalent to his pay arising from a different source. The sentence "to forfeit twenty dollars" must therefore have been to forfeit \$20 of pay.

In the present case, in view of what is said above, the sentence of the summary court was to forfeit \$20 of the soldier's *pay*. This forfeiture was properly chargeable against the pay accruing subsequently to the date of the approval of the sentence. (Dig. Dec. J. A. G., 1901, par. 1401; Dig. Second Comp. Dec., Vol. 2, secs. 375, 377; 9 Comp. Dec., 74.)

The forfeiture could only run so long as the claimant remained in the service under his said enlistment and at the rate of pay which he was receiving, or, of course, until it was fully executed.

The claimant having been discharged on November 26, 1903, that fact operated as a remission of the unexecuted part of the forfeiture. (Dig. Dec. J. A. G., 1901, par. 1392.)

The stoppage, therefore, by the paymaster of the pay accruing from date of sentence to date of discharge, viz, \$4.67, was a proper one. The balance of the uncollected forfeiture can not now be stopped against clothing money due. (Dig. Dec. J. A. G., 1901, par. 1398, 1894; 2 Comp. Dec., 300.)

Upon a revision of the above-described account I find and certify a difference in favor of the claimant of fifteen dollars and fifty cents (\$15.50) as per certificate of differences herewith.

L. P. MITCHELL,
Assistant Comptroller.

BY ORDER OF THE SECRETARY OF WAR:

GEORGE L. GILLESPIE,
Major General, Acting Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

CIRCULAR, }
No. 18. }

WAR DEPARTMENT,
WASHINGTON, May 2, 1904.

The following instructions are published for the information and guidance of all concerned:

Recruits furnished with meal tickets (Form No. 76, Subsistence Department) under the provisions of paragraph 1418 $\frac{1}{2}$ of the Regulations, published in General Orders, No. 180, Headquarters of the Army, Adjutant General's Office, October 8, 1901, will be thoroughly instructed regarding the use of the same. It should be stated to the recruits by recruiting officers or others issuing the tickets that they are for the sole purpose of obtaining meals in the manner indicated thereon, and that any violation of the printed instructions on the meal tickets regarding the use to be made thereof, or any improper use of such tickets, will render the recruits liable to punishment.

Recruiting officers will endeavor to keep themselves in touch with the companies honoring meal tickets issued by them, in order that recruits provided with the same may experience no difficulty in obtaining meals thereon.

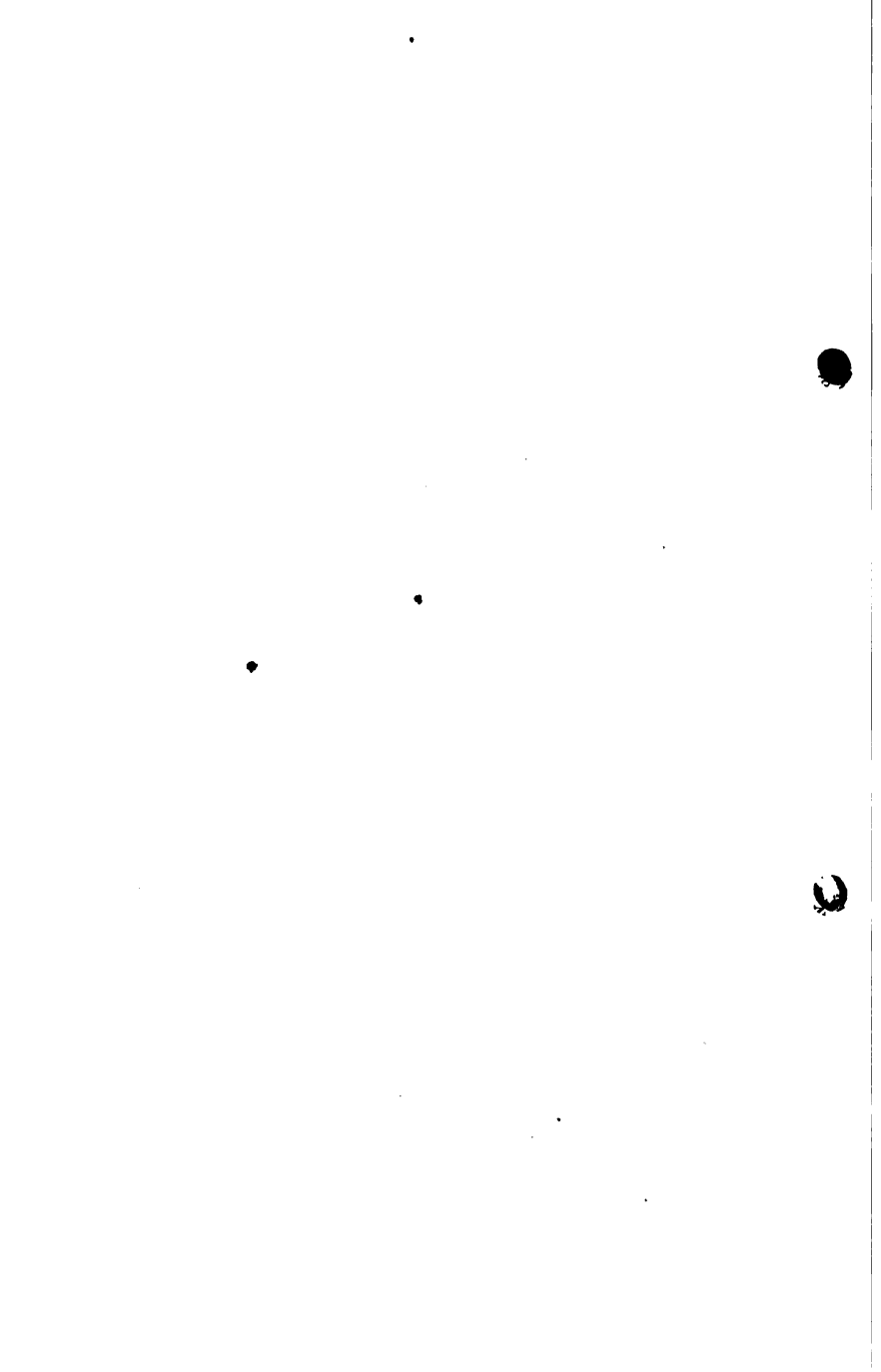
Disbursing officers will not pay accounts for meal tickets which have been improperly used, except when specially authorized by the War Department.

BY ORDER OF THE SECRETARY OF WAR:

GEORGE L. GILLESPIE,
Major General, Acting Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.



CIRCULAR, }
No. 19. }

WAR DEPARTMENT,
WASHINGTON, *May 7, 1904.*

The following is published for the information and guidance of all concerned:

The uppers of the russet marching shoes recently adopted for the enlisted men of the Army are made of *stuffed* leather. The stuffing renders the shoes soft and pliable. By using any of the various polishes to produce a high polish the pliability of the leather will be destroyed and the shoes discolored.

In cleaning these shoes they should first be washed, after which a thin coating of neatsfoot or other suitable oil should be applied, which will restore the shoes to their original condition.

Officers in command of troops will see that these instructions are strictly complied with.

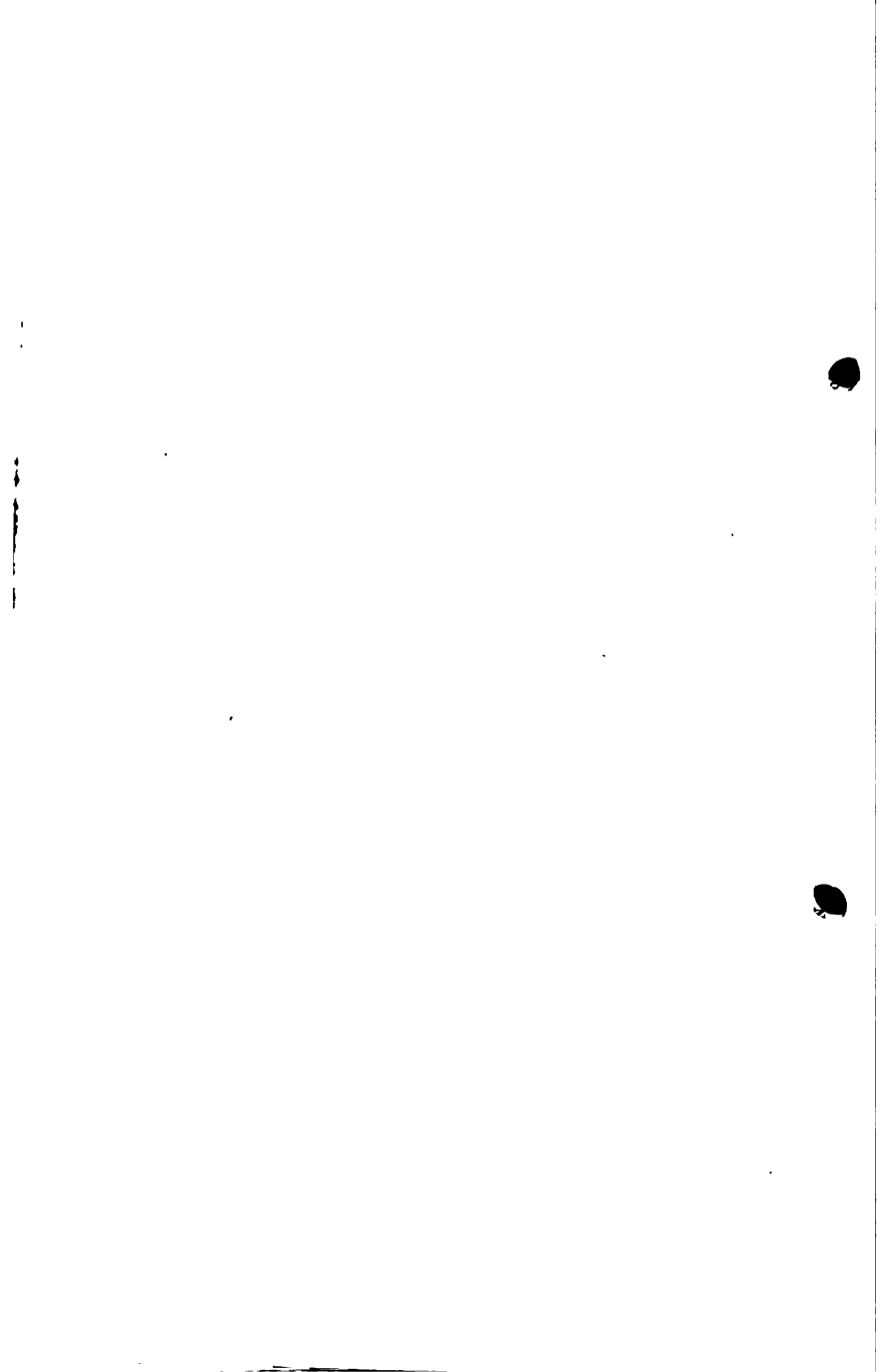
BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

NOTE.—Circulars, Nos. 16, 17, and 18, are not issued to the Militia.



CIRCULAR, }
No. 20. }

WAR DEPARTMENT,
WASHINGTON, May 17, 1904.

U. S. ARMY RECRUITING CIRCULAR.

The following instructions will govern recruiting for the Regular Army hereafter:

Applicants for first enlistment must be between the ages of 21 and 35 years, of good character and temperate habits, able-bodied, free from disease, and must be able to speak, read, and write the English language. Minors will not be enlisted.

Original enlistments will be confined to persons who are citizens of the United States, or of Porto Rico, or who have made legal declaration of their intention to become citizens of the United States.

Married men will be enlisted only upon the approval of a regimental commander, or other proper commanding officer if there be no regimental organization.

Applicants will be required to satisfy the recruiting officer regarding age and character, and should be prepared to furnish the necessary evidence.

For infantry and coast artillery the height must be not less than five feet four inches, and weight not less than one hundred and twenty (120) pounds and not more than one hundred and ninety (190) pounds.

For cavalry and field artillery the height must be not less than five feet four inches and not more than five feet ten inches, and weight not to exceed one hundred and sixty-five (165) pounds. No minimum weight is prescribed for these arms, but the chest measures must be satisfactory.

A variation not exceeding a fraction of an inch in height is permissible if the applicant is in good health and desirable as a recruit.

Table of Physical Proportions for Height, Weight, and Chest Measurement.

HEIGHT.		WEIGHT.	CHEST MEASUREMENT.	
Feet.	Inches.	Pounds.	At expiration: Inches.	Mobility: Inches.
5 $\frac{1}{2}$	64	128	32	2
5 $\frac{1}{2}$	65	130	32	2
5 $\frac{1}{2}$	66	132	32 $\frac{1}{2}$	2
5 $\frac{1}{2}$	67	134	33	2
5 $\frac{1}{2}$	68	141	33 $\frac{1}{2}$	2 $\frac{1}{2}$
5 $\frac{1}{2}$	69	148	33 $\frac{1}{2}$	2 $\frac{1}{2}$
5 $\frac{1}{2}$	70	155	34	2 $\frac{1}{2}$
5 $\frac{1}{2}$	71	162	34 $\frac{1}{2}$	2 $\frac{1}{2}$
6	72	169	34 $\frac{1}{2}$	3
6 $\frac{1}{2}$	73	176	35 $\frac{1}{2}$	3

It is not necessary that the applicant should conform exactly to the figures indicated in the foregoing table. A variation not exceeding ten pounds in weight or two inches in chest measurement (at expiration) below the standard given in the table is admissible when the applicant for enlistment is active, has firm muscles, and is evidently vigorous and healthy. The table is given to show what is regarded as a fair standard of physical proportions and not as an absolute guide to be followed in deciding upon the acceptance of recruits.

Marked disproportion of weight over height is not a cause for rejection unless the applicant be positively obese.

Applicants must defray their own expenses to the place of enlistment. Their fitness for the military service can be determined only upon examination at a military post or other recruiting station.

The term of service is three years.

All soldiers receive from the Government, without cost (in addition to their pay), rations, clothing, bedding, medicines, and medical attendance.

The following are the rates of pay as fixed by law:

Grade.	Pay proper per month.
COMPANY.	
Private—cavalry, artillery, and infantry	\$13
Musician—cavalry, artillery, and infantry	13
Wagoner—cavalry	14
Artificer—field artillery and infantry	15
Saddler—cavalry	15
Farrier and blacksmith—cavalry	15
Corporal—cavalry, artillery, and infantry	15
Cook—cavalry, artillery, and infantry	18
Mechanic—coast artillery	18
Sergeant—cavalry, artillery, and infantry	18
Quartermaster sergeant—cavalry, artillery, and infantry	18
First sergeant—cavalry, artillery, and infantry	25
REGIMENT OR CORPS.	
Chief trumpeter—cavalry and artillery	23
Principal musician—cavalry, artillery, and infantry	22
Drum major—cavalry, artillery, and infantry	25
Color sergeant—cavalry and infantry	25
Battalion sergeant major—infantry	25
Squadron sergeant major—cavalry	25
Sergeant major (junior grade)—artillery	25
Sergeant major (senior grade)—artillery	34
Commissary sergeant—cavalry and infantry	34
Sergeant major and quartermaster sergeant—cavalry and infantry	34
Chief musician—cavalry, artillery, and infantry	60
BATTALIONS OF ENGINEERS.	
Private (2d class)—company	13
Private (1st class)—company	17

Grade.	Pay proper per month.
BATTALIONS OF ENGINEERS—continued.	
Corporal and cook—company	\$20
Sergeant—company	34
Quartermaster sergeant—company	34
Sergeant major and quartermaster sergeant—battalion	36
HOSPITAL CORPS.	
Private	16
Private first class	18
Corporal	20
Sergeant	25
Sergeant first class	45
SIGNAL CORPS.	
Private	13
Private (1st class)	17
Corporal and cook	20
Sergeant	34
Sergeant (1st class)	45
Master signal electrician	75
MISCELLANEOUS.	
Ordnance sergeant	34
Post commissary sergeant	34
Post quartermaster sergeant	34
Electrician sergeant	34
Master electrician	75

The pay proper of enlisted men "serving in the Philippine Islands, the Island of Guam, Alaska, China, and Panama," is increased twenty per centum over and above the rates of pay proper as given herein.

When soldiers reenlist within three months of date of discharge their service is continuous, and for such continuous service there is added \$1 per month for third year, \$2 per month for fourth year, \$3 per month for fifth year, and thereafter \$2 per month additional is allowed for the sixth to the tenth year, inclusive, and for continuous service of more than ten years an additional \$1 per month for each successive period of five years.

The soldier can deposit his savings in sums not less than \$5 with any Army paymaster, and for sums so deposited for the period of six months or longer, the soldier, on his final discharge, will be paid interest at the rate of four per cent per annum. These deposits are nonforfeitable except by desertion.

Whenever a soldier is honorably discharged at the expiration of his enlistment, or on account of disability, his travel-pay is ample to carry him to the place of enlistment.

By care and economy a soldier can save from his clothing allowance a considerable sum, payable to him on his discharge.

Soldiers who have served honestly and faithfully twenty years, or who have been discharged for wounds received, or disease incurred in service, are entitled to admission to the Soldiers' Home in the city of Washington. The sum of 12½ cents per month is deducted from each soldier's pay, to be applied toward the support of the HOME. After thirty years' service enlisted men are entitled to be retired, and upon retirement receive three-fourths of the monthly pay allowed by law to them in the grade they held when retired, and \$9.50 per month additional as commutation for clothing and subsistence. In computing time for retirement credit is given a soldier for double the time of his actual service in China, Cuba, Philippine Islands, Island of Guam, Alaska, and Panama.

BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,

Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,

The Military Secretary.

CIRCULAR, }
No. 21. }

WAR DEPARTMENT,
WASHINGTON, May 17, 1904.

I.—The attention of all concerned is called to the provisions of paragraph 1555, Army Regulations, which requires that any money deposited with the company or post commander, to be applied for purchase of discharge, shall be regularly deposited with a paymaster before completion of the final statements in case discharge is granted. This paragraph of the regulations was not revoked by General Orders, No. 48, War Department, March 15, 1904, and its provisions apply to cases arising thereunder, when deposit is necessary to fulfill the requirement that the final statements must in every case of discharge by purchase show a sufficient credit with the United States to meet all indebtedness to the Government, including the price of purchase as prescribed by paragraph 1 or as may be fixed under paragraph 4 of said order.

II.—Commanders of military posts situated within the continental limits of the United States and in Alaska will forward to The Military Secretary a list of the nonmilitary persons who reside on the military reservations under their charge, or who carry on business or exercise any other right or privilege which involves a location on such reservations, as well as any corporations exercising rights of way over or through the same. The list will show in each case when possible the authority for the occupancy or for the exercise of the privilege. Families of officers and soldiers, employees of the Government who reside on the reservation, and contractors whose residence is an incident of their contract relations will not be included in the list. Should there be no nonmilitary persons or corporations on the reservation that fact will be stated in lieu of a report.

BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.

JUN
MAY 2 Rec'd



CIRCULAR, }
No. 22. }

WAR DEPARTMENT,
WASHINGTON, May 18, 1904.

The following decision of the Assistant Comptroller of the Treasury is published for the information of all concerned:

Pay of chaplains retired. The act of April 21, 1904, "to recognize and promote the efficiency of army chaplains," applies only to chaplains in active service.

TREASURY DEPARTMENT,
WASHINGTON, May 7, 1904.

The Honorable the SECRETARY OF WAR.

SIR: By your authority I have received a communication from the Paymaster General of the Army, requesting my decision of a question presented as follows:

Referring to the act approved April 21, 1904 (Public, No. 127), entitled "An act to recognize and promote the efficiency of army chaplains," and to the decision of the Second Comptroller dated June 14, 1893, in the matter of increased pay to certain enlisted men of the Marine Corps, in which it was held that "the change of the pay * * * affects those retired, equally with those in active service, whether retired before or after the 1st of April, 1893" (on which date the change in the rate of pay went into effect); decision is requested whether (1) all chaplains now on the retired list who have been in the service seven years at date of approval of the act, will be entitled to seventy-five per centum of the pay of captain, mounted, or (2) whether only those will be entitled to such pay who had, at date of their retirement, served seven years, or (3) whether *any* of the chaplains now on the retired list will be entitled to such increase of pay.

By section 12 of the act of February 2, 1901 (31 Stat., 750), the President was authorized to appoint chaplains in the Army, with the rank, pay, and allowances of captains of infantry.

Section 1274, Revised Statutes, provides that officers retired from active service shall receive seventy-five per centum of the pay of the rank upon which they are retired.

The language used in the act of April 21, *supra*, would indicate that Congress had in mind only the chaplains of the Army in active service, and that said act was intended to apply to them alone.

It is true that chaplains of the Army who are retired from active service are still in the military service of the United States (*United States v. Tyler*, 105 U. S., 244), but I think it clear that Congress by the act of April 21, *supra*, was not legislating for such officers, for in section 2 of the said act it is provided:

That all officers provided for in this act shall have a uniform designation in official address as chaplains of their respective regiments or of the Artillery Corps.

Officers of the Army on the retired list have no connection with regimental or artillery organizations.

I am of opinion that the act of April 21, 1904, is applicable only to the chaplains of the Army in active service.

Respectfully,

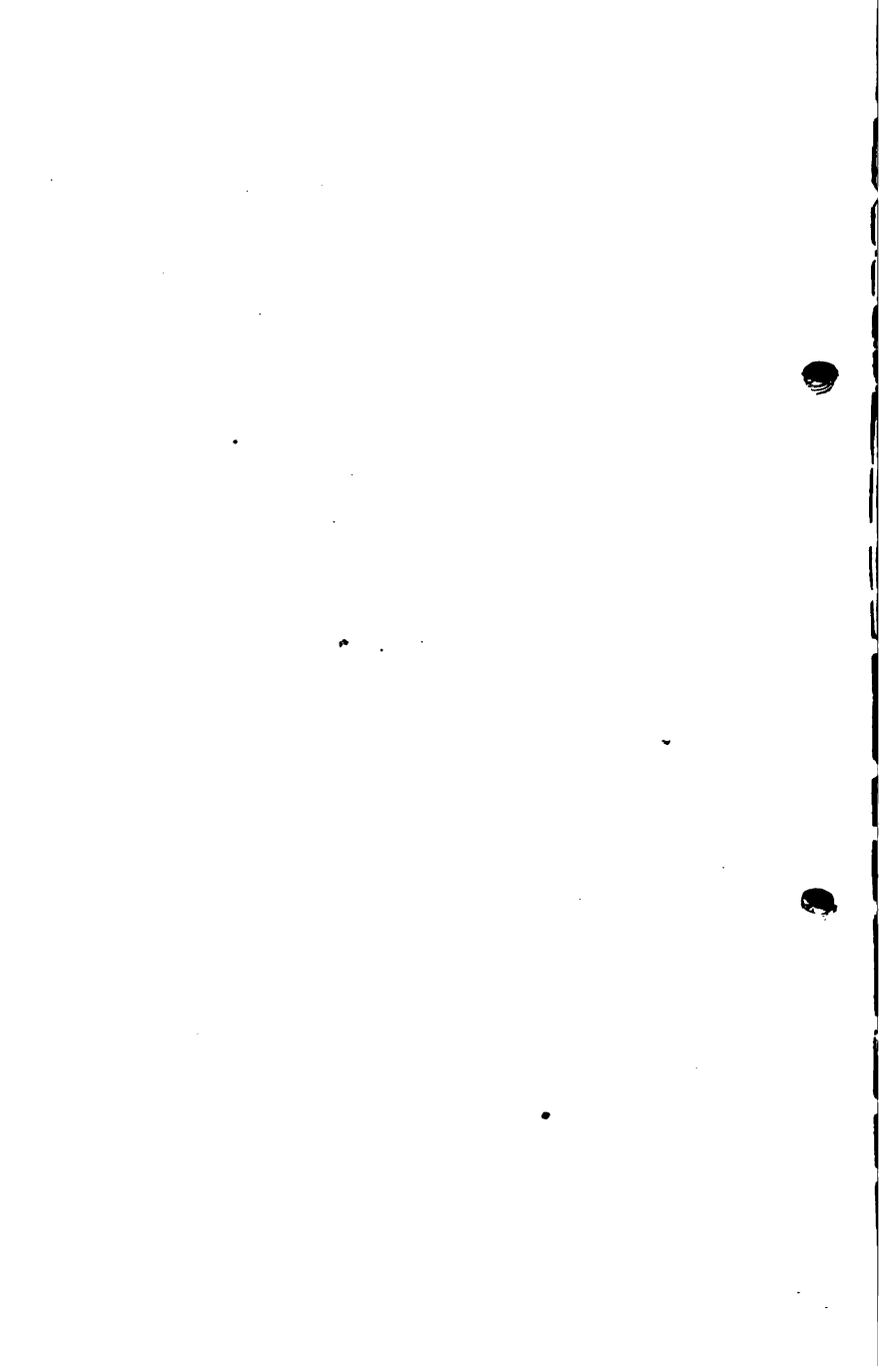
L. P. MITCHELL,
Assistant Comptroller.

BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.



CIRCULAR, }
No. 28. }

WAR DEPARTMENT,

WASHINGTON, June 3, 1904.

I.—The following is published for the information and guidance of all concerned:

PAYMENT OF SALARIES AND COMPENSATION.

1904.

Department Circular No. 46.

TREASURY DEPARTMENT,

OFFICE OF COMPTROLLER OF THE TREASURY.

Washington, May 23, 1904.

To all Disbursing Officers of the United States:

Section 4 of the act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes, provides—

That the annual compensation of officers, agents, and employees of the United States for services rendered subsequent to June thirtieth, nineteen hundred and four, shall be divided into twelve equal installments, one of which shall be the pay for each calendar month; and in making payments for a fractional part of a month one-thirtieth of one of such installments, or of a monthly compensation, shall be the rate to be paid for each day. For the purpose of computing such compensation each and every month shall be held to consist of thirty days, without regard to the actual number of days in any month, thus excluding the thirty-first day of any month from the computation, and treating February as if it actually had thirty days.

This act becomes operative relative to payments for all services rendered after July 1, 1904, and applies only to annual and monthly compensations; per diem compensations will be paid as heretofore.

In case of annual compensations one-twelfth of each said compensations will be paid for each full calendar month's service rendered by the same person without regard to the actual number of days in said month.

For the purposes of payment of annual or monthly compensations, where there is no break of service, the 31st day of any month will be treated as *dies non*. The last day of February will be counted as three days and in leap year as two days.

In making payments for a fractional part of a month, where service has been performed therein by two or more persons holding the same office or place, one-thirtieth of one month's installment of annual compensation, or of any monthly compensation, shall be the rate to be paid for each day of service, except for the 31st day of any month, for which nothing can be paid, provided the full salary is taken up in making payments for service accruing before the 31st.

To illustrate: A person serving during the whole of a thirty-one-day month will receive the full monthly salary and no more, or the one-twelfth of an annual salary, and no more.

A person serving during the whole of February, a twenty-eight-day month, shall likewise receive the full monthly salary, or the one-twelfth of the annual salary.

A person appointed on the 31st day of a month will receive no salary or compensation for said day's service, if the full salary has been earned by his predecessors.

A person serving from the 1st to and including the 15th day of February will receive the fifteen-thirtieths of a month's salary.

A person succeeding him on the 16th day of February and holding until and including the 28th day of February, will receive thirteen-thirtieths of a month's salary, and in leap year fourteen-thirtieths. If he serves on the 29th.

R. J. TRACEWELL,
Comptroller.

Approved:

LESLIE M. SHAW,
Secretary of the Treasury.

II.—The following decision has been made and is published to the Army for the information and guidance of all concerned:

TERM OF DETAIL WITH FIELD ARTILLERY.—The term of three years for which an officer is detailed for service with a battery of field artillery is exclusive of such time as he may serve after such detail as a student officer at the Artillery School or the School of Submarine Defense.—[*General Decision, May 16, 1904—526508 A. G. O.*]

BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.

CIRCULAR, }
No. 24. }

WAR DEPARTMENT,
WASHINGTON, June 15, 1904.

I.--The attention of all concerned is invited to the following requirement in Circular, No. 8, War Department, Adjutant General's Office, November 12, 1895, and in the printed directions on the enlistment blank:

The recruiting officer will indorse on the enlistment paper of every general-service recruit (in red ink, at top of second fold) the arm of service for which the soldier was enlisted: *i. e.*, either foot service, white; mounted service, white; foot service, colored, or mounted service, colored.

It is hereby provided that to the designation thus made of recruits for the foot service there shall be *added* the more definite designation of "infantry," "coast artillery," or "engineers," and to the designation of recruits for the mounted service the more definite designation of "cavalry," or "field artillery," according to the facts.

II.--Clinometers and rests for each caliber and model of gun in service can be obtained by application to the nearest district armament officer of the Ordnance Department whenever needed by artillery officers in complying with the requirements of General Orders, No. 65, Headquarters of the Army, Adjutant General's Office, May 11, 1901.

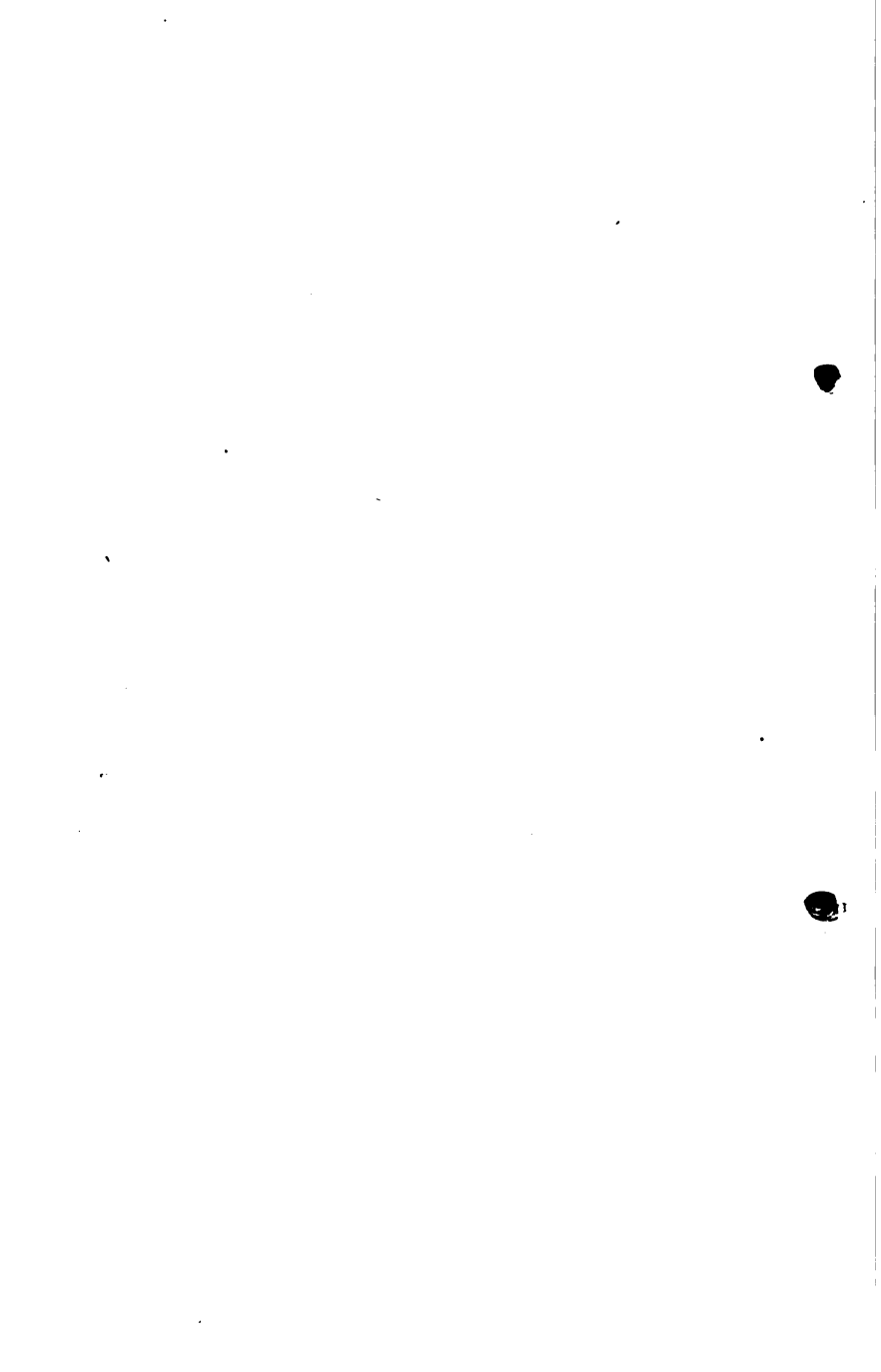
BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.

JUN 22 Rec'd



CIRCULAR, }
No. 25. }

WAR DEPARTMENT,

WASHINGTON, June 20, 1904.

The following decision of the Assistant Comptroller of the Treasury is published for the information of all concerned:

On and after July 1, 1904, foreign-service pay will only be allowed from date of arrival in the Philippine Islands, Guam, China, and Panama to date of departure therefrom.

TREASURY DEPARTMENT,

WASHINGTON, June 9, 1904.

The Honorable the SECRETARY OF WAR.

SIR: By your authority I have received a communication from the Paymaster General of the Army requesting my decision of questions presented as follows:

The act approved June 30, 1902, making appropriations for the support of the Army for the fiscal year 1903, provided that the ten and twenty per centum increase of pay proper for service beyond the limits of the States comprising the Union and the territories contiguous thereto, "shall be counted from the date of departure from said States to the date of return thereto."

The act approved April 23, 1904, making appropriations for the support of the Army for the fiscal year 1905, provides for additional ten and twenty per centum increase for service "in the Philippine Islands, the Island of Guam, Alaska, China and Panama," and the concluding words of said act repeal "All laws or parts of laws inconsistent with the provisions of this act."

Decision is requested therefore, whether, under the act last cited, such additional ten and twenty per cent shall be counted from date of departure from the United States to date of return thereto, or whether it shall commence with date of arrival in the places named and cease with the date of departure therefrom.

Decision is also requested, whether such increase shall be confined to "pay proper" as specified in the act of June 30, 1902, first above cited, or whether it shall be computed upon all "pay," including longevity pay of officers, and pay of enlisted men for length of service, certificate of merit, and pay of first and second class gunners of coast and field artillery.

The several laws bearing on the question of increase pay to officers and enlisted men serving outside the United States are set forth in their order as follows:

The act of May 26, 1900 (31 Stat., 211), provided:

For additional twenty per centum increase on pay of enlisted men, four million five hundred and twenty-four thousand seven hundred and fifteen dollars: *Provided*, That hereafter the pay proper of all officers and enlisted men serving in Porto Rico, Cuba, the Philippine Islands, Hawaii, and in the Territory of Alaska, shall be increased ten per centum for officers and twenty per centum for enlisted men over and above the rates of pay proper as fixed by law in time of peace.

The act of March 2, 1901 (31 Stat., 903), provided:

For additional ten per centum increase on pay of officers serving at foreign stations, five hundred thousand dollars: *Provided*, That hereafter the pay proper of all officers and enlisted men serving beyond the limits of the States comprising the Union, and the Territories of the United States contiguous thereto, shall be increased ten per centum for officers

and twenty per centum for enlisted men over and above the rates of pay proper as fixed by law for time of peace, and the time of such service shall be counted from the date of departure from said States to the date of return thereto.

The act of June 30, 1902 (32 Stat., 512), provided:

For additional ten per centum increase on pay of commissioned officers serving at foreign stations, four hundred and fifty-one thousand four hundred and fifty-six dollars: *Provided*, That hereafter the pay proper of all *commissioned* officers and enlisted men serving beyond the limits of the States comprising the Union and the Territories of the United States contiguous thereto shall be increased ten per centum for officers and twenty per centum for enlisted men over and above the rates of pay proper as fixed by law for time of peace, and the time of such service shall be counted from the date of departure from said States to the date of return thereto.

The act of April 23, 1904 (Public No. 149), making appropriation for the support of the Army for the fiscal year ending June 30, 1905, provides:

For additional twenty per centum increase on pay of enlisted men serving in the Philippine Islands, the Island of Guam, Alaska, China, and Panama, five hundred and thirty-three thousand four hundred and twelve dollars and fifty-one cents.

For additional ten per centum increase on pay of commissioned officers serving in the Philippine Islands, the Island of Guam, Alaska, China, and Panama, one hundred and sixty-seven thousand four hundred and twenty-six dollars and thirty cents.

The concluding words of this latter act are—

and all laws or parts of laws inconsistent with the provisions of this act are hereby repealed.

In construing the act of May 26, 1900, this office held in 6 Comp. Dec., 947, quoting from the syllabus, that—

An officer of the Army who is on duty in the United States and who is ordered to join an organization in one of our island possessions, or in Alaska, is not entitled to the 10 per centum increase of pay proper provided for by the act of May 26, 1900, for time prior to the date of his arrival in said possessions or territory or for time after the date of his departure therefrom, whether on leave of absence or otherwise.

The acts of March 2, 1901, and June 30, 1902, did not limit the payment of the increase pay to service in specified places, but gave it for service generally at all stations beyond the limits of the United States and directed that the time of such service should be counted from the date of departure from the United States to the date of return thereto.

By the act of April 23, 1904, Congress has again limited the payment of the increase pay to service in certain specified places, so far at least as the fiscal year 1905 is concerned.

It is not necessary in the consideration of the first question presented by you to decide whether the act of April 23, 1904, operates to repeal the prior legislation on this subject, for from the terms of said act the money appropriated thereby can only be used for the payment of increase pay to commissioned officers and enlisted men *serving in the places named in the act*, and not otherwise.

If the language used by Congress is unambiguous and not of doubtful meaning, it is the duty of the accounting officers to interpret the act according to the natural import of the words used, and to give effect to the will of Congress as thus plainly expressed. (*United States v. Fisher*, 2 Cranch, 358, 399; *Lake County v. Rollins*, 130 U. S., 662, 670; *United States v. Dewey*, 178 U. S., 510; 35 Ct. Cl., 197; 37 Ct. Cl., 60.)

The natural import of the words used in the act of April 23, 1904, is to limit the payment of the increase pay for service in the particular places named in the act.

I do not think that an officer or enlisted man can be said to be *serving in* any of the places named in the statute until he has arrived at such place or after his departure therefrom.

I am of opinion therefore that the appropriation for the fiscal year, 1905, is not available for the payment of increase pay to officers and enlisted men serving otherwise than at the places named in the statute and that such pay does not commence until their arrival in such places and that it ceases upon their departure therefrom. Your first question is answered accordingly.

No opinion is expressed on your second question in view of the fact that the question whether the increase should be computed on the base pay of an officer or enlisted man or upon his pay increased by length of service is pending before the United States Supreme Court on an appeal from the decision of the Court of Claims in the cases of Wm. M. Irwin and Charles M. Thomas (38 Ct. Cl., 87, 719).

Respectfully,

L. P. MITCHELL,
Assistant Comptroller.

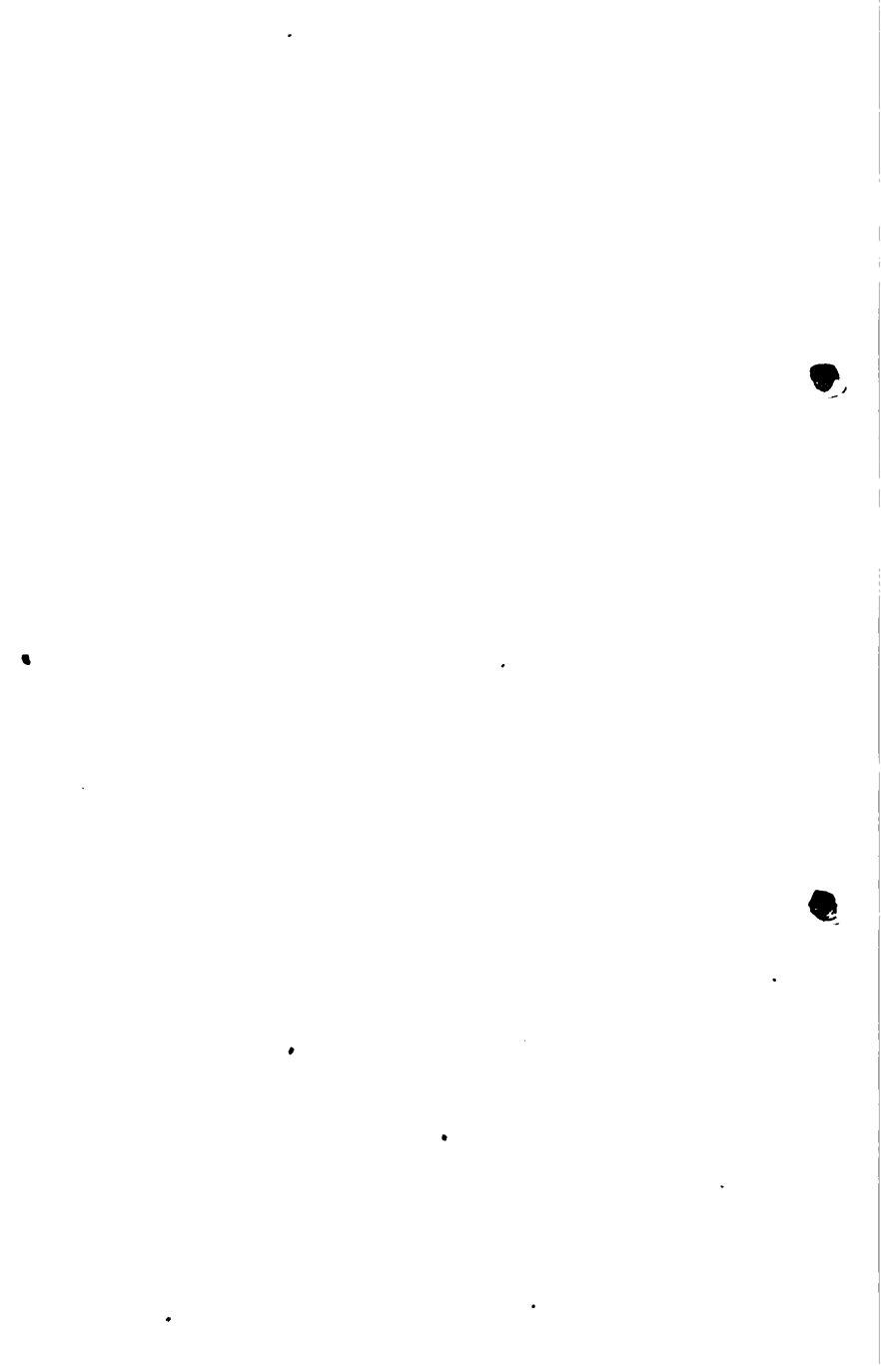
BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.

NOTE.—Circulars, Nos. 21, 22, 23, and 24, are not issued to the militia.



5

CIRCULAR, }
No. 26. }

WAR DEPARTMENT,

WASHINGTON, June 28, 1904.

In compliance with paragraph 253, General Orders, No. 115, June 27, 1904, the following posts are announced as those at which militia officers may attend garrison schools, together with the maximum number of militia officers that can attend at each post: Fort Adams, Newport, Rhode Island, 4; Fort Barrancas, Florida, 5; Fort Brady, Sault Ste. Marie, Michigan, 4; Columbus Barracks, Columbus, Ohio, 8; Fort Crook, Nebraska, 8; Fort D. A. Russell, Wyoming, 9; Fort Des Moines, Des Moines, Iowa, 4; Fort Ethan Allen, Vermont, 10; Fort Hamilton, New York, 5; Fort Harrison, Montana, 4; Fort Jay, New York City, 4; Jefferson Barracks, Missouri, 10; Madison Barracks, Sacketts Harbor, New York, 8; Fort McPherson, Georgia, 7; Fort Meade, South Dakota, 8; Fort Myer, Virginia, 6; Fort Niobrara, Nebraska, 9; Ord Barracks, Monterey, California, 16; Plattsburg Barracks, New York, 12; Presidio, San Francisco, California, 14; Fort Sheridan, Illinois, 12; Fort Snelling, Minnesota, 10; Fort Thomas, Kentucky, 8; Vancouver Barracks, Washington, 10; Fort Wadsworth, New York, 5; Fort Walla Walla, Washington, 4; Fort Wayne, Michigan, 4.

BY ORDER OF THE ACTING SECRETARY OF WAR:

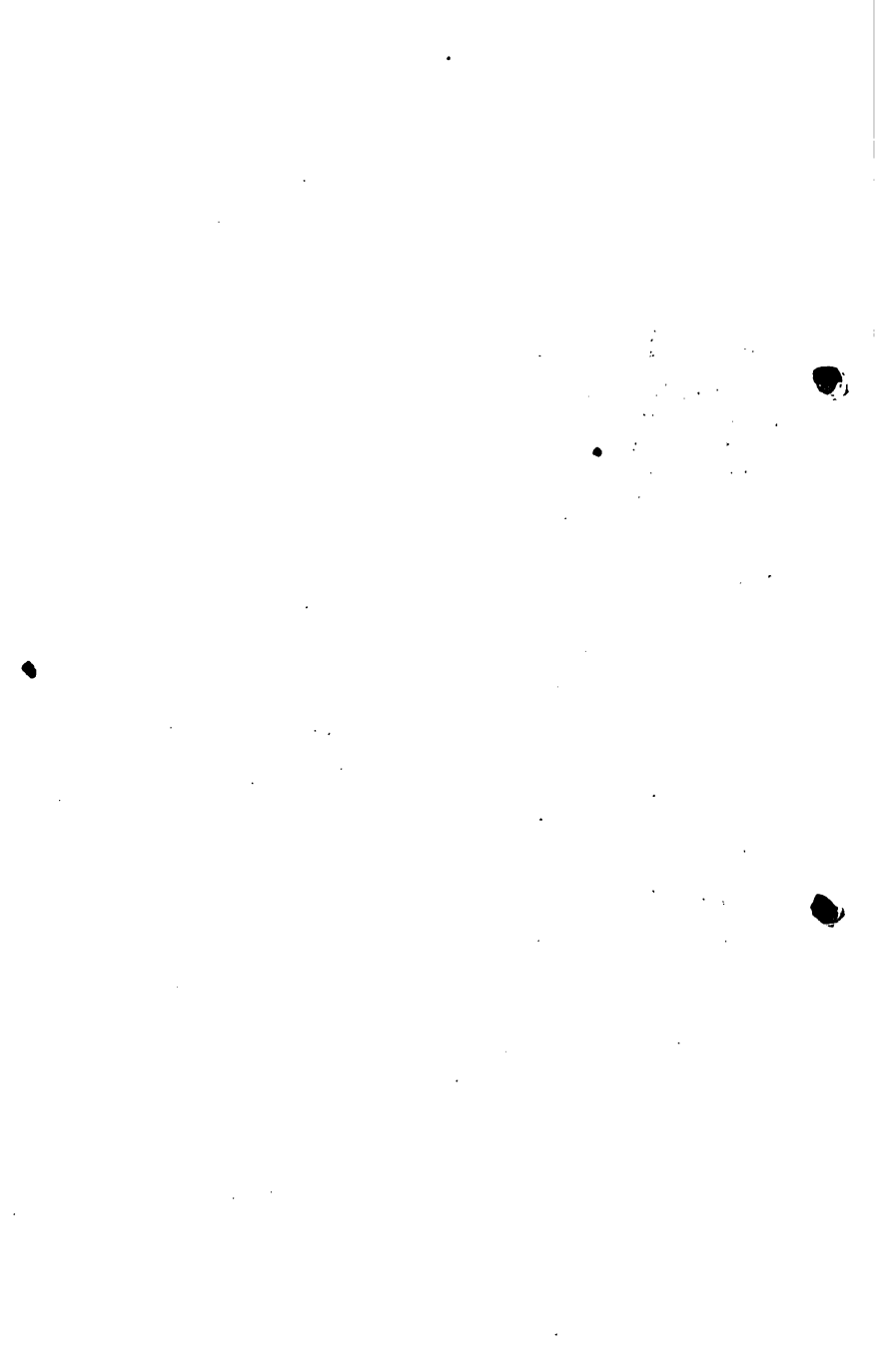
GEORGE L. GILLESPIE,

Major General, Acting Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,

The Military Secretary.



CIRCULAR, }
No. 27. }

WAR DEPARTMENT,

WASHINGTON, June 28, 1904.

The following apportionment to the States, Territories, and the District of Columbia of the one million dollars (\$1,000,000) provided for under section 1661, Revised Statutes, as amended by acts of February 12, 1887; June 6, 1900, and January 21, 1903, having been made by the Secretary of War for the fiscal year ending June 30, 1905, is published for the information of all concerned:

State.	Represent- ation.	Amount.
Alabama	11	\$21,942.47
Arkansas	9	17,952.93
California	10	19,947.70
Colorado	5	9,973.85
Connecticut	7	13,963.39
Delaware	3	5,984.31
Florida	5	9,973.85
Georgia	13	25,932.01
Idaho	3	5,984.31
Illinois	27	53,858.79
Indiana	15	20,921.55
Iowa	13	25,932.01
Kansas	10	19,947.70
Kentucky	13	25,932.01
Louisiana	9	17,952.93
Maine	6	11,968.62
Maryland	8	15,958.16
Massachusetts	16	31,916.32
Michigan	14	27,926.78
Minnesota	11	21,942.47
Mississippi	10	19,947.70
Missouri	18	35,905.86
Montana	3	5,984.31
Nebraska	8	15,958.16
Nevada	3	5,984.31
New Hampshire	4	7,979.08
New Jersey	12	23,937.24
New York	39	77,796.03
North Carolina	12	23,937.24
North Dakota	4	7,979.08
Ohio	23	45,879.71
Oregon	4	7,979.08
Pennsylvania	34	67,822.18
Rhode Island	4	7,979.08
South Carolina	9	17,952.93
South Dakota	4	7,979.08
Tennessee	12	23,937.24
Texas	18	35,905.86
Utah	3	5,984.31
Vermont	4	7,979.08
Virginia	12	23,937.24
Washington	5	9,973.85
West Virginia	7	13,963.39
Wisconsin	13	25,932.01
Wyoming	3	5,984.31
Arizona		5,767.00
District of Columbia		18,884.81
New Mexico		5,234.54
Oklahoma		13,103.13
Hawaii		7,500.00
Total	476	1,000,000.00

The regulations for the distribution, accountability, and disposition of uniform, arms, and equipment, as well as for the obtaining of and the accountability for funds under this appropriation, as published in Circular, No. 9, War Department, September 9, 1908, and War Department Circular of November 23, 1908, will be strictly observed in the administration of the foregoing allotment.

BY ORDER OF THE ACTING SECRETARY OF WAR:

GEORGE L. GILLESPIE,
Major General, Acting Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.

CIRCULAR, }
No. 28. }

WAR DEPARTMENT,

WASHINGTON, July 13, 1904.

The following is published to the Army for the information and guidance of all concerned:

Commanding officers of military posts and stations are authorized within their discretion to permit the wearing by enlisted men of white collars with the old style blue blouse.

BY ORDER OF THE ACTING SECRETARY OF WAR:}

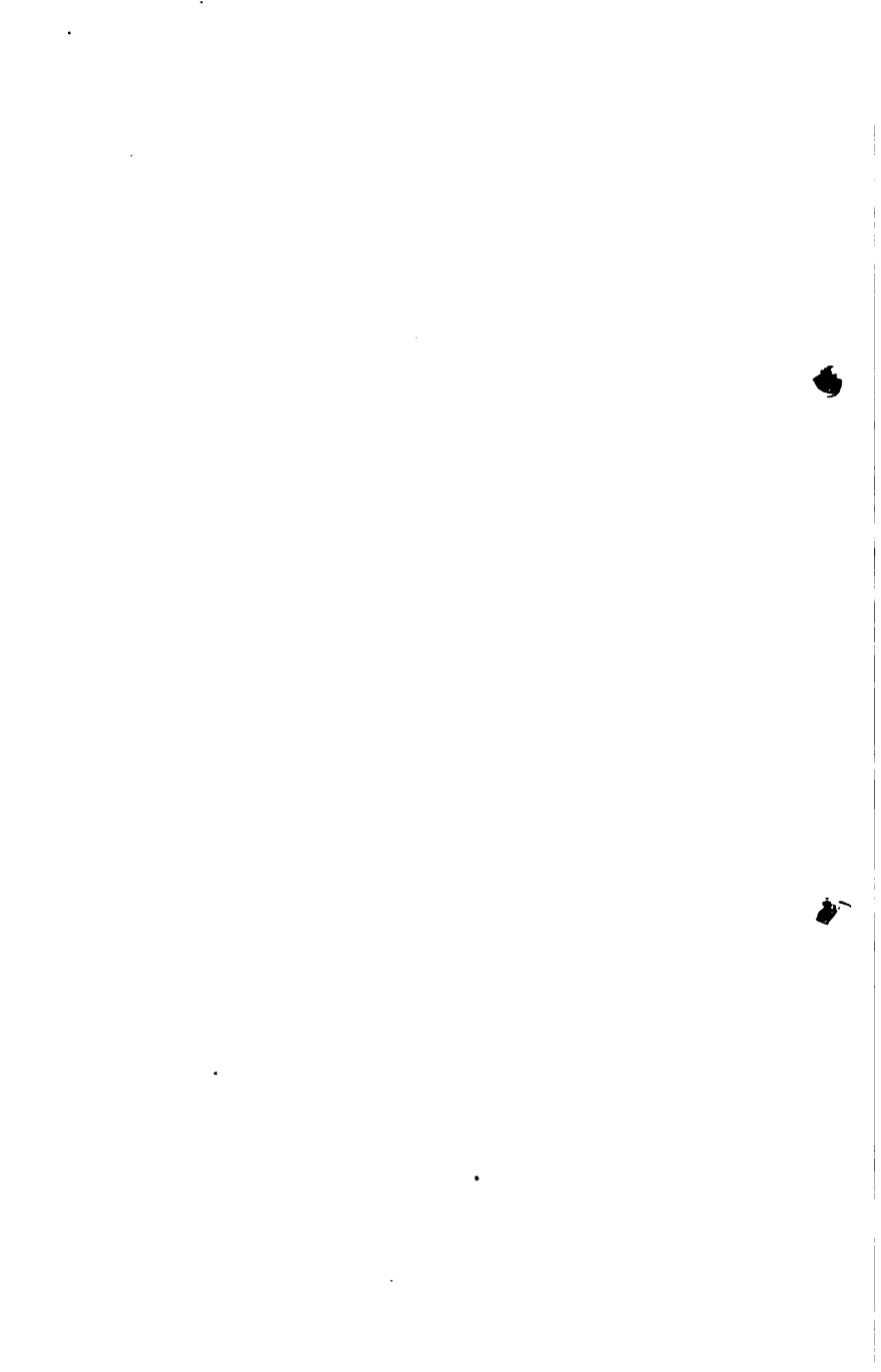
GEORGE L. GILLESPIE,

Major General, Acting Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,

The Military Secretary.



CIRCULAR, }
No. 29. }

WAR DEPARTMENT.

WASHINGTON, *July 15, 1904.*

The following extracts from the proceedings of the National Board for the Promotion of Rifle Practice at its session of June 11, 1904, are published for the information and guidance of all concerned.

BY ORDER OF THE ACTING SECRETARY OF WAR:

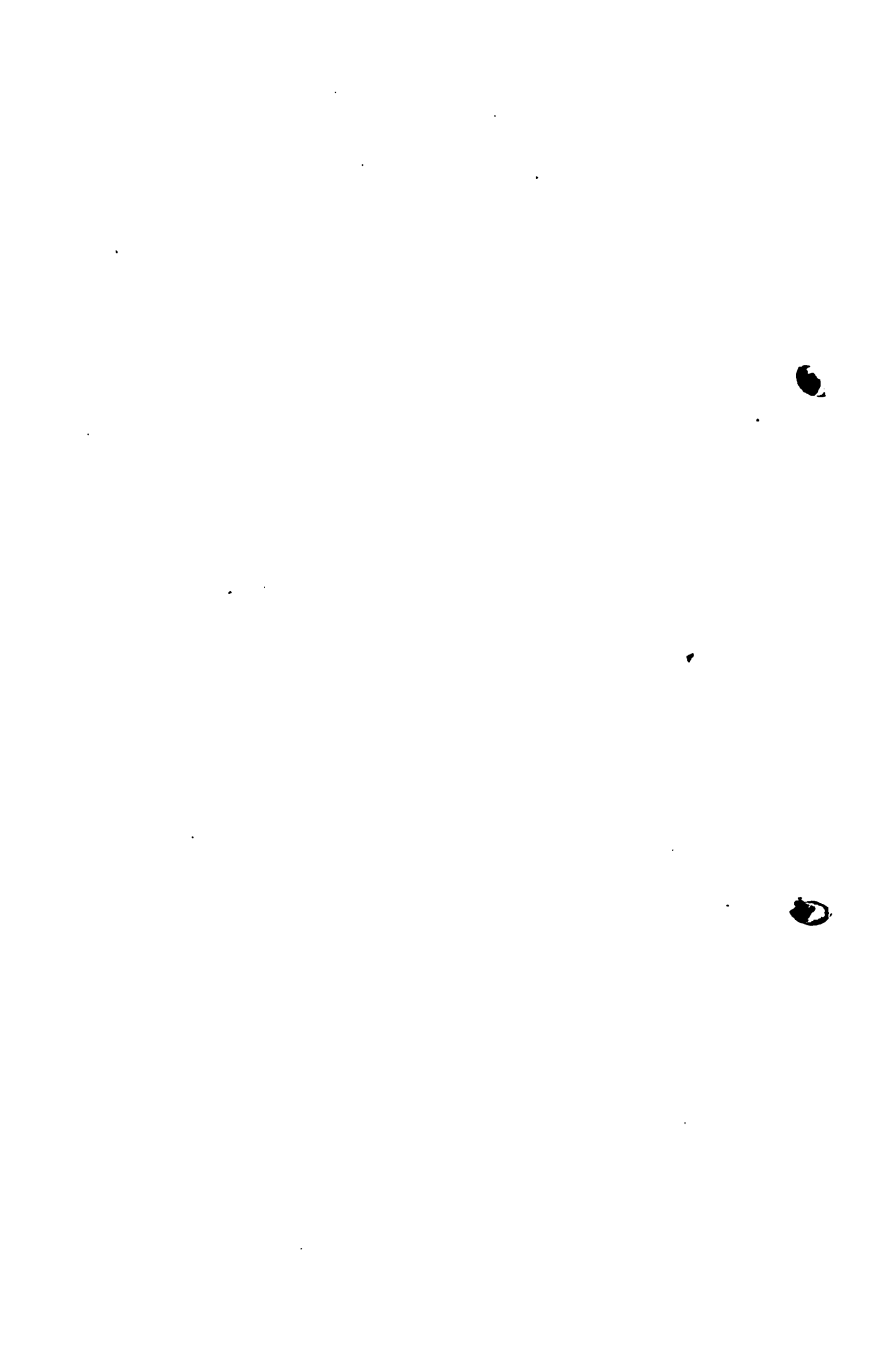
GEORGE L. GILLESPIE,
Major General, Acting Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.

NOTE.—Circular, No. 28, is not issued to the Militia.

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PROCEEDINGS OF MEETING OF THE EXECUTIVE COMMITTEE
OF THE NATIONAL BOARD FOR THE PROMOTION
OF RIFLE PRACTICE, JUNE 11, 1904.

* * * * *

The following plan for a National Marksman's Reserve having been submitted by General Spencer, was approved:

The National Board for the Promotion of Rifle Practice having approved by resolution of the National Rifle Association plan for a National Reserve of qualified riflemen, and the Secretary of War having also approved, the following conditions are hereby announced governing the qualifications:

1. All members of the National Rifle Association and of affiliated organizations are eligible to compete.

2. They must be citizens between the ages of 18 and 45.

3. The course will consist of twenty-one shots; five shots for record at 200, 300, and 500 yards; two sighting shots allowed at each range, which must be taken.

4. ARM.—The U. S. magazine rifle, caliber .30, or a rifle that has been viewed and stamped by the National Rifle Association (see conditions, page 5, paragraph 4, General Orders, No. 58, War Department, March 28, 1904), on page 140 (*sic*) must be used. Ammunition, U. S. service or private makes that come within the rules.

5. Entrance fee, 25 cents. Official scoresheets can be secured from the secretary of the local affiliated organization, or if not a member of any local organization direct from the secretary of the National Rifle Association.

6. The score sheets of those who make a total score of 50 points at all ranges will be forwarded to the secretary of the National Rifle Association, who will tabulate them and forward to the War Department. All those who qualify will receive a National Marksman's button.

* * * * *

ROBERT SHAW OLIVER,
President.

JNO. F. GUILFOYLE,
Recorder.

Approved:

WM. H. TAFT,
Secretary of War.

NATIONAL BOARD FOR THE PROMOTION OF RIFLE PRACTICE.

PREAMBLE.

In the consideration of *plans for the encouragement of rifle practice in the United States* your committee believes that the following facts relative to the military situation in the United States will become apparent:

1. Our permanent military establishment or regular army must be small, and in the event of a war with one or more of the first class powers of the world we must depend very largely upon the militia and the volunteers for our fighting force.

2. In estimating the military efficiency of a soldier if we consider ten points as a standard of perfection at least eight of these points are skill in rifle and revolver shooting.

3. With the modern long-range small arms it is all important that the soldier should know how to shoot and to hit what he shoots at. If he can not do this, the chances are about ten to one that the effect of the shot is lost. In other words, the results are similar to those reached when a man goes quail shooting and fires at the flock when the birds get up.

By the plans proposed hereinafter, if followed, we believe that the United States will within a few years have more than 1,000,000 of men who will have for practical purposes on the line of battle nearly all the requirements for the most efficient soldiers in the world, and this great attainment will be reached by a very small expenditure of money by the Government—that is, we propose to educate our young men and boys over fifteen years of age to be an army of expert rifle shots. In drawing up these recommendations your committee has given much consideration to the plans adopted by the civilized nations of the world for the purpose of encouraging rifle shooting amongst their citizens. To those who are accustomed to the use of firearms we believe one thing is evident beyond all question and it is that a high degree of skill in rifle and revolver shooting and the confidence which a knowledge of this skill gives will make a timid man brave and a brave man more courageous.

Proceeding to a consideration in detail the whole scheme of rifle practice is subdivided into three distinct heads or lines of work:

Encouragement of rifle practice in the State militia where necessary.

Encouragement of rifle practice in military and other schools.

Encouragement of rifle practice among those individuals who may be called upon to serve in time of war.

We would also subdivide the various headings to which consideration should be given in each of the three subdivisions above-named as follows:

First. Shooting galleries.

Second. Field ranges.

Third. Arms.

Fourth. Ammunition.

Fifth. Supervision.

Sixth. Inducements.

Seventh. Literature.

Eighth. Publicity.

ENCOURAGEMENT OF RIFLE PRACTICE IN THE STATE MILITIA
WHERE NECESSARY.

At first thought it might be said that this is a matter which will be taken care of without further concern on the part of the board, but when consideration is given to the peculiar conditions found at present in a great many of the States, it seems to your committee that this board should give most careful consideration to this matter.

Returning to the several heads for specific consideration the following may be said:

First. SHOOTING GALLERIES.—Regarding the matter of shooting galleries, we find on investigation that some of the States we may consider best equipped in all other respects are, or have been, absolutely deficient in the matter of indoor rifle ranges. Pennsylvania and a number of other States, for instance, have had comparatively few armory rifle ranges, but it is now understood that in Pennsylvania measures are being taken to supply this most necessary lack of equipment. In the National Guard service, where under the most favorable auspices (particularly in the case of those organizations located in the large cities) the larger number of the men can only be taken out for field practice one or two days in a year, the necessity for armory practice, which is very great, is increased. Take a man who has not practiced in the aiming and firing drill in the armory, and who may not have had much, if any, experience in firing any kind of a gun, his difficulties are increased by the natural timidity that an individual has in firing a gun for the first few times. He is not able to give any particular attention to following instructions, and

in a great many cases does well if he is able to keep his eyes open, so that where field practice is not preceded by armory practice, it is almost if not entirely thrown away.

Until the general use of smokeless powder within the last few years it has required considerable expenditure to provide an indoor range with the necessary ventilating plant, etc. Now it is possible to either erect at a very insignificant cost a range in the cellar of the building or even on the drill floor with portable butts, bullet catchers, etc., and as field practice is of comparatively little use without armory practice, in most instances, particular attention should be given in order that every organization may be provided with an indoor range, instructions as to reduced targets, etc., and that each man is thoroughly instructed in the aiming and position drills.

A very valuable work, which gives full information as to methods of construction at reasonable cost, character of armory practice instruction, etc., has been written by Major Bell, inspector of rifle practice, District of Columbia National Guard.

Second. FIELD RANGES.—Turning to the meager information at hand regarding present ranges owned by the several States one is surprised to see even now, when the need of rifle practice is more felt than ever before, that such small provision has been made for field practice by the various militia organizations.

The following information reaches us regarding present ranges:

State.	Ownership.			Total.	Remarks.
	State.	Private.	General Gov't.		
Alabama		4		4	None; it is reported they will build some this year.
Arkansas			1	1	
California					
Colorado	1	5		6	
Connecticut		18		18	Building large range at Jacksonville; smaller ranges throughout the State.
Delaware		2		2	
District of Columbia	1	1		2	
Florida					
Georgia		19		19	No State ranges.
Idaho					
Illinois	2	20		22	No State ranges; temporary ones for company practice.
Indiana					
Indian Territory					No report.
Iowa		2		2	No State ranges.
Kansas			1	1	

State.	Ownership.			Total.	Remarks.
	State.	Private.	General Gov't.		
Kentucky					No State ranges.
Louisiana	1			1	
Maine		17		17	
Maryland	1			1	
Massachusetts		34		41	It is not known to whom the balance belong.
Michigan		1		1	One new State range in process of construction.
Minnesota	1	5		6	Each company has local range; very little practice, however.
Mississippi					No ranges.
Missouri					None; there were some, but were washed away by floods.
Montana		7		7	
Nebraska					No State ranges; there are a few company short ranges in this State.
Nevada					There are a few company ranges in this State.
New Hampshire		12		12	There are a few small ranges throughout the State.
New Jersey	5	3		8	
New Mexico					No State ranges.
New York	2	21		23	
North Carolina					No State ranges; expect to build three this year.
North Dakota	1			1	
Ohio	2			2	Reported they will build other ranges for company practice.
Oklahoma					No established ranges.
Oregon					There are a few short ranges in this State.
Pennsylvania					Several good ranges up to 1,000 yards in this State, but no statistics are at hand.
Porto Rico					No report.
Rhode Island					No State ranges; better conditions promised for 1904.
South Carolina		1		1	There are also several company ranges.
South Dakota					Considerable interest displayed here, but no public ranges.
Tennessee					No State ranges.
Texas		3		3	Twelve ranges less than 300 yards in addition.
Utah	1	3		4	
Vermont		12	1	13	
Virginia					No permanent ranges; no appropriation; very little interest.
Washington		10		10	There are other short ranges in this State.
West Virginia					No State ranges; expect to build one this year.
Wisconsin	2	32		34	This State has other private company ranges also.
Wyoming		9		9	There are many short ranges in this State also. The above figures only include ranges of 300 yards and over.

From the above may be readily seen that one of the most necessary steps to be taken for the training of the National Guard in small-arms practice is to provide ranges, and to this

end Congress should be called upon to appropriate such a sum of money as might be wisely expended per annum. Your committee would recommend that a bill be introduced appropriating, say, \$1,000,000 per annum for five years to be expended under the direction of the Secretary of War; such ranges to be open to use by civilians on every holiday and Saturday and at other times when possible under appropriate regulations.

Your committee would also recommend that steps be taken by the militia division of the Army to prepare a form of report which shall be required to be filled out by every militia organization on the 1st of July in each year, covering the following information:

ARMORY RANGES.

1. Number of firing points.
2. Length of range.
3. To what extent used during preceding year by the organization itself.
4. To what extent used by civilians.

FIELD RANGES.

5. Number of firing points.
6. Length of ranges.
7. Owned by.
8. If not owned by the organization or State, by whom.
9. Term of lease.
10. Rental paid.
11. To what extent used during preceding year by the organization itself.
12. To what extent used by civilians.
13. Distances from armory.
14. Means of transportation.
15. Cost per man of transportation.
16. By whom defrayed.

Third. ARMS.—As sufficient provision has already been made for the equipment of the various organizations of militia with the U. S. magazine rifle, nothing more need be said on this score.

Fourth. AMMUNITION.—As the several States having organized troops will naturally draw ammunition for fieldwork under their supply appropriations, nothing more need be said on this score. The matter of gallery ammunition, however, is an extremely important one, as round lead bullets with reduced charges of smokeless powder can be used in shells once used for fieldwork. Gallery ammunition can be assembled by the several organizations at very small cost. Your

committee would, therefore, recommend that ample instructions be issued which will enable the several organizations to reload expended shells with armory charges, definite data being given for the several probable lengths of gallery ranges.

Fifth. SUPERVISION.—Your committee is informed that there is at present considerable difference in the manner of instruction of the several militia organizations. In some cases owing to specific legislative enactments it is not possible to comply with the present army regulations for small-arms practice. It is of course absolutely essential if any measure is to be accorded results of rifle practice in the several States that the same methods of instruction should prevail in all, and it would seem desirable also that as instruction in small-arms practice is one of the most necessary parts of instructing troops a considerable measure of supervision should be exercised by the Militia Division of the Army for the small-arms practice of the several States.

To this end your committee would recommend that when and as necessary an inspector of rifle practice of militia be appointed or detailed, together with two assistants, who will under the direction of the Militia Division of the Army supervise small-arms practice in the National Guard organizations and so insure a uniform method of instruction. A very much readier dissemination of the possibilities of field and armory work will be practicable with such personal supervision. Furthermore, that steps be taken by the legislative committee to the end that the State laws, if necessary, shall be so amended that uniform methods of instruction may prevail.

Sixth. INDUCEMENTS.—It is absolutely essential that every inducement shall be extended to encourage continuous rifle practice both in the armory and in the field. At present there are a number of different kinds of qualifications required by the several States, and the method of decoration in recognition of success is also very diverse. It would, therefore, seem to be advisable that the same scheme of recognition should apply to all of the various National Guard organizations. In this connection it would seem wise that steps should be taken to provide necessary facilities, ranges, etc., so that the militia in each State may be able to qualify as "Marksman," "Sharpshooter," or "Expert," under specifications of "Special Course 'C,'" promulgated by the Army Board on Small Arms Firing Regulations, or such other course as may hereafter be prescribed. Your committee would also call attention to the desirability of encouraging, and indeed requiring, attention to the matter of instruction of fellow marksmen.

As a general rule the instruction of the individual members of the organizations is left to the officers, noncommissioned officers, etc., but it would appear to be extremely desirable, in view of the possible necessity of a large number of instructors in time of war, or the sudden expansion of the armed force, to have as many instructors as possible. To this end it would seem as if the higher grade of marksmen, sharpshooters, experts, etc., should be required to qualify so that they may be known to possess the necessary qualifications to act as instructors of raw troops, or as noncommissioned officers when required.

Seventh. LITERATURE.—At present there seems to be a tremendous lack of information regarding rifle practice and all necessary details leading thereto among the various National Guard organizations. Ordinary tactics, of course, are easily attainable and quite generally in the possession of troops, but it would seem as if a pamphlet should be published by the Army and generally distributed which will cover the following information:

1. Existing laws pertaining to rifle practice.
2. The Government assistance to be had and the means of obtaining it.
3. Information as to the construction of Army ranges, field ranges, approximate cost thereof, and plans in sufficient detail to enable the reader to erect ranges, etc.
4. The storage, care, testing, and reloading of ammunition for field and armory practice.
5. Course of instruction for field and armory practice.

It would be well that such parts of the pamphlet or book which will assist and instruct the men to shoot should be printed separately, and a sufficient number issued so that all individuals may be provided with copies. It is recommended that two copies of the entire work be placed in the hands of each organization, and a sufficient number of the instruction part, as above described, be issued for the use of the individual members of the organizations.

Eighth. PUBLICITY.—As the matter of publicity to be given to rifle practice generally can be better treated under the head of military schools than civilians, we would leave that part of our report to be so covered.

ENCOURAGEMENT OF RIFLE PRACTICE IN MILITARY AND OTHER SCHOOLS.

In considering the matter of the encouragement of rifle practice among schoolboys, one can not help being impressed

with the urgent necessity for the early training of the individual in rifle practice. It may be assumed that 60 or 70 per cent of the aggregate of a large body of volunteer troops would be under the age of 25. In cities, where boys often commence business careers at the age of eighteen or twenty, it is oftentimes hard for them to get the time, even if they desire it, to practice with small arms. Therefore, if we are to get any considerable measure of ground work for our whole scheme of rifle practice, we must commence when the boy is at school and offer every encouragement which will conduce to that end. It is therefore essential that wherever possible indoor ranges be provided in public schools and other institutions, and that a special endeavor be made to promote the use of private and other ranges by schools.

Considering the matter under the several specific heads, we arrive at the following:

First. SHOOTING GALLERIES.—Indoor shooting galleries can be provided with so little expense and are so necessary that special pains should be taken to see that every public and private school throughout the country is equipped with such a range. The establishment of country graded schools with the larger buildings enlarge the possibilities of work in this direction tremendously. Every institution of learning having an Army officer detailed as instructor should be required to provide suitable indoor ranges, and a certain definite amount of rifle practice should be required as part of the military instruction by every student.

Second. FIELD RANGES.—The ranges already existing for States' practice should be open to the schools under appropriate regulations, and every institution of learning having an Army officer detailed as instructor should be required to provide a range of at least 300 yards, preferably 500 yards, and a definite course of rifle practice should be required as part of the military instruction by all students.

Third. ARMS.—The matter of arms to be used for school practice is one of vital importance. It is desirable to commence at an early age to instruct a boy, but it is not possible for him to use the regulation piece, and it is undesirable that he should use any one of markedly different design than that he will be expected to use later.

At present the cadet rifle as issued to the various colleges is of the old Springfield design, using black powder. It is presumed the Krag carbines will soon be discarded by the cavalry arm of the regular establishment, and these pieces, of which there are, it is understood, a considerable number,

would seem to supply a suitable weapon for use in schools. Therefor, there should be immediately issued, say, ten pieces to each school having an Army officer detailed as instructor as soon as available for general distribution. These should be issued as part of the equipment to such institutions. Also one carbine to each twenty-five scholars should be issued to public schools possessing indoor ranges and carrying on rifle practice. These arms should be chambered to receive the regulation cartridge, in order that expended shells may be used for loading for indoor practice and with reduced charges at short ranges.

Fourth. **AMMUNITION.**—Twenty-five rounds of ammunition, or material equivalent to the cost thereof, should be issued free for each qualification, in accordance with the regulations hereinafter prescribed, by the United States Government through the adjutant general of the State. Any additional material necessary for school practice to be sold by the United States Government at one-half its actual cost.

Fifth. **SUPERVISION.**—The matter of supervision of school and civilian rifle practice would seem to be quite an important one, and it is believed better results will be obtained if inspection and direction by the United States Government of this matter be had, and to this end your committee would recommend if possible one officer to each State shall be detailed from the National Guard organizations under the title of "United States Inspector of Civilian Rifle Practice," having the rank and pay, when detailed, of captain. His duties will be the encouragement and supervision of civilian rifle practice in schools and outside of National Guard organizations, to report to and be under the direction of the general inspector of rifle practice of the Militia Division of the Army.

Sixth. **INDUCEMENTS.**—A course of school practice should be prescribed which would qualify a student as a "sharpshooter," "junior sharpshooter," "marksman," and "junior marksman," a junior marksman or sharpshooter being a boy of less than fifteen years of age.

The National Rifle Association should encourage the promotion of affiliated rifle clubs in the institution of learning and in all branches of the Young Men's Christian Association.

Special pains should be taken to provide at rifle meetings events for students with a view to encouraging rifle practice in the schools. The United States Government should issue a State school championship medal for individuals, a State team trophy to be open for competition among teams of eight individuals from the several schools of the State, and a national

school trophy, which should be held by the team making the best score in the State competition; in case of a tie the two teams to be transported at Government expense to some one place where a final competition can be held.

Your committee would recommend for the purpose of defraying cost of individual State championship badges that an annual appropriation of \$5,000 be sought, and for the purpose of providing the several State trophies and the national school trophy an appropriation of \$20,000 should be asked for. The initial expense will be all that will be necessary in the case of the State and national school trophies because they will be held by the winning teams until the next competition occurs.

Seventh. LITERATURE.—Each institution having or intending to have an armory range should be provided with a book which would give full information as to the construction of ranges, course of instruction, methods of loading, regulations regarding care of ammunition, arms, etc., and the existing laws, States and Federal, pertaining to public property, rifle practice, etc. This book should be issued on the 1st of October in each year and should include statistics as to ranges, competitions of the previous year, the standing of the States in rifle practice, etc.

Eighth. PUBLICITY.—It is extremely desirable that the public press of the country should be brought to appreciate the urgent necessity of rifle practice, and to this end the National Rifle Association should establish a bureau of public information, which would promulgate through the various State associations articles for publication in the various papers.

If means can be found to defray the initial expense a schoolboys' paper on rifle practice, to be generally distributed through all the schools and to as many subscribers as possible, would seem to be a most excellent means of reaching the public at large, and particularly the youth in whose mind it should firmly establish the idea that every one who expects to serve his country in time of need should educate himself while he may in the use of the rifle.

ENCOURAGEMENT OF RIFLE PRACTICE AMONG THOSE WHO MAY BE CALLED UPON IN TIME OF WAR.

In consideration of this, one of the most important branches of the whole scheme of rifle practice, your committee would point out that it is, as in the case of schoolboys, especially desirable to induce practice by the younger men, because, as above stated, by far the larger part of an army in the field would be made up of very young men, so that every endeavor

should be made to carry on more particularly the practice of young civilians, which it is to be hoped will be generally commenced while at school.

Proceeding to consider the matter under its several heads—

First. SHOOTING GALLERIES.—In all new armories for National Guards care should be taken to provide range facilities beyond the needs of the actual organization for which the armory is being built, as at comparatively insignificant cost there can be provided extra ranges, so that facilities may be furnished for civilian rifle practice. In country towns it will no doubt be possible to fit up in halls where needed additional indoor ranges.

Second. FIELD RANGES.—There remains so much to be done in connection with furnishing ranges for the regular establishment and for the National Guard, both of which should be open for civilian rifle practice, that during the next year or two it is presumed little can be done outside of the ranges required for the Army and militia, but it would appear to your committee that a most careful study should be given, and at once, to the matter of eventually establishing sufficient range facilities to permit of quite general civilian rifle practice, and for the purpose of this study there should be assumed an active rifle practice by, say, 500,000 and 1,000,000 individuals, and a definite plan should be formulated which will eventually provide facilities sufficient for the number of men above named.

As one of the greatest difficulties in carrying on rifle practice economically is the matter of expense of maintaining ranges, providing markers, etc., it would seem to be wise to consider the utilization of such regular troops of the Army and Marine Corps as may be available as scorers and markers at ranges at which civilians will practice, and in the location of stations for troops in the future, consideration might be given to this most necessary service.

The education in rifle practice of large bodies of men would seem to render necessary the establishing of ranges near the large centers of population, if possible within reach of trolley cars at reasonable fares, and in the selection of barrack sites, if any are hereafter established near the cities, consideration should be given to coupling with the establishment of troops a large range.

In many cases it may be possible to establish near large posts of the Army or Marine Corps ranges of no great length perhaps, but of large capacity for civilian rifle practice. It is especially desirable to have ranges near posts, so that the

troops so stationed may be utilized as markers, scorers, and instructors, and a short range is infinitely better than none at all.

Third. ARMS.—At present it is not possible for the civilian to obtain the national arm and if he had it there is little or no chance for him to find a place to practice with it. This latter we hope will be changed, and in order to render it possible for civilians to practice it is suggested that the National Rifle Association purchase at \$10.00 each for resale to its affiliated organizations to not exceeding 25 per cent of the aggregate strength the national arm of the regular pattern. It is believed that many organizations of riflemen now using other kinds of arms will gladly avail themselves of the opportunity both to affiliate with the National Rifle Association and provide themselves with the proper arm if this inducement is held forth.

Fourth. AMMUNITION.—Your committee recommends that the National Rifle Association be permitted to purchase at cost such amount of field ammunition as may be required for resale to its affiliated organizations at the same price, and that each year there shall be issued to each affiliated organization free of cost through the National Rifle Association fifty rounds of field ammunition for each qualification as a marksman made during the preceding year; in lieu of the above the organization to be given authority to draw component parts suitable for armory practice, powder, primers, bullets, etc., in case they do not desire to take the whole amount in field ammunition.

Fifth. SUPERVISION.—The supervision of the issue of arms and ammunition to the organizations and various clubs, etc., by the National Rifle Association will naturally entail considerable clerical expense.

Your committee recommends that the National Rifle Association be authorized by law to use the mails under the usual franking privilege in the conduct of its business; later when it can be seen what measure of the work the National Rifle Association will be called upon to perform it should receive some financial support.

The supervision and instruction of the various clubs, etc., shall come under the charge of the United States inspector of civilian rifle practice.

Sixth. INDUCEMENTS.—The same specifications referred to for the militia organizations for qualification as experts, sharpshooters, marksmen, etc., shall apply to civilians, and it would seem desirable that the Government should furnish each civil-

ian expert, sharpshooter, or marksman with a button of an appropriate design.

It would also seem desirable when sufficient organizations exist to render it proper that the Government should provide State and national trophies to be competed for by rifle clubs.

Seventh. LITERATURE.—The National Rifle Association should be provided with a sufficient number of the rifle-practice books referred to under the head of State militia, and the individual instruction books should be purchasable for a nominal sum from all postmasters.

Eighth. PUBLICITY.—The assistance of the press should be enlisted to encourage rifle practice among civilians in every necessary way, and it should be generally understood that it is a patriotic thing for a man to learn how to shoot; furthermore, that those who do not know how to shoot will not be considered when applying for enlistment in time of war, provided others can be had who possess this most necessary qualification.

The National Rifle Association should, it would seem, establish a corresponding secretary in each State, with whom and through whom matters can be taken up and assistance rendered in the matter of enlisting the public press in disseminating information regarding the aims of the Government and the National Rifle Association.

We would also recommend that in all legislation providing for the sale of arms or ammunition at cost or less, a provision should be embodied to the effect that the amounts received be held by the Ordnance Department for the purchase of similar material from domestic manufacturers. Your committee believes that such a provision would remove the objection commonly urged to the sale by the Government of arms and ammunition because of the possible antagonism of the regular manufacturers.

* * * * *

W. P. HALL,
Assistant Adjutant General.

BIRD W. SPENCER,
President, National Rifle Association.

J. A. HASKELL,
Vice President, National Rifle Association.

CIRCULAR, }
No. 80. }

WAR DEPARTMENT,
WASHINGTON, July 18, 1904.

The following is published to the Army for the information and guidance of all concerned:

When an occasion arises for the employment of an expert witness in the trial of a case before a general court-martial the necessity for such employment should be made to appear by a resolution of the court, and the request for authority to employ, showing the cost of the services, will be submitted to the Secretary of War for approval in advance of the employment. The requirements of the Manual for Courts-martial in respect to the engagement of the services of experts will be strictly complied with.

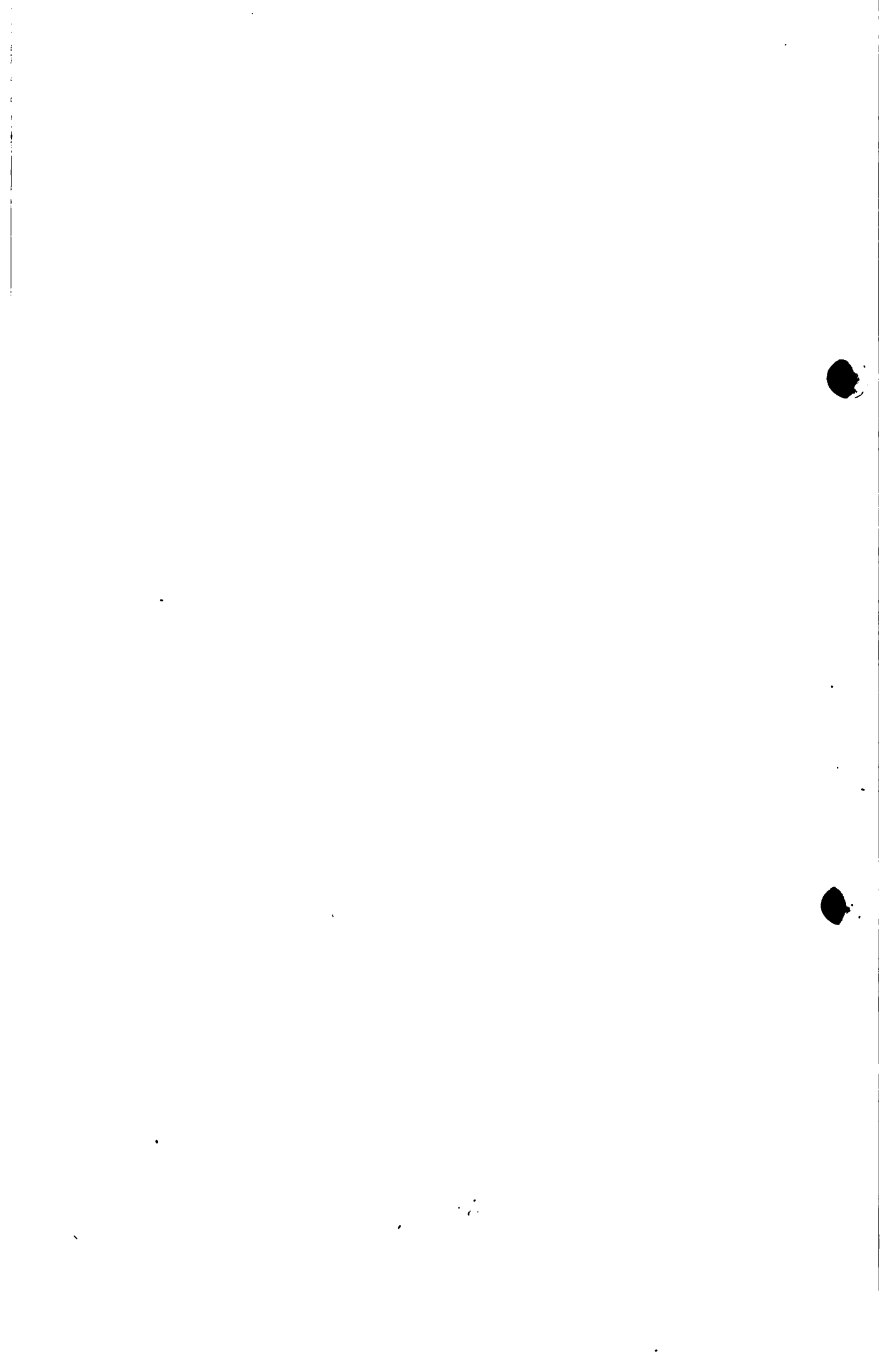
BY ORDER OF THE ACTING SECRETARY OF WAR:

GEORGE L. GILLESPIE,
Major General, Acting Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.

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CIRCULAR, }
No. 81. }

WAR DEPARTMENT,
WASHINGTON, July 23, 1904.

As paragraph II, General Orders, No. 15, War Department, September 16, 1903, prescribes that the revolver will be issued to all bandsmen, trumpeters, and musicians when they take the field, trumpeters and the members of mounted bands will be required, under paragraph 224, Firing Regulations for Small Arms, 1904, to take the full course in pistol practice, dismounted and mounted. Members of bands not mounted and company musicians will be required to take the dismounted course in pistol practice.

As General Orders, No. 69, Adjutant General's Office, October 4, 1886, contemplates the occasional issue of revolvers to sergeants or other enlisted men of foot troops for use when necessary on special occasions, company commanders will exercise care that such issues of these arms, are made only to men who have had instruction in the handling and firing of the revolver. Under the provisions of paragraph 224, Firing Regulations for Small Arms, 1904, sergeants and other selected enlisted men of foot organizations will be given dismounted pistol practice, the allowance of revolver ammunition for sergeants of such organizations being utilized for this purpose.

BY ORDER OF THE ACTING SECRETARY OF WAR:

GEORGE L. GILLESPIE,
Major General, Acting Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.

1039 ; 500



CIRCULAR, }
No. 82. }

WAR DEPARTMENT,
WASHINGTON, *July 25, 1904.*

The accompanying list, corrected to present date, showing surety companies which have qualified to do business in the State in which incorporated, showing also the United States judicial districts in other States and Territories in which each has complied with section 2, act of August 18, 1894, and paragraph 656 of the Army Regulations, is published for the information of all concerned.

BY ORDER OF THE ACTING SECRETARY OF WAR:

GEORGE L. GILLESPIE,
Major General, Acting Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.

AUG 7 1904

AUG 7 1904

*List showing Surety Companies which have qualified to do
U. S. Judicial Districts in other States and Territories
of August 13, 1894, and Army*

NAME OF COMPANY.	ALA.			ALAB.			ARIZ.			ARK.			CAL.			COLO.			CONN.		
	Nu.	Mid.	Sn.	Nu.	Mid.	Sn.	Nu.	Mid.	Sn.	Nu.	Mid.	Sn.	Nu.	Mid.	Sn.	Nu.	Mid.	Sn.	Nu.	Mid.	Sn.
American Surety Company of New York, 100 Broadway, New York, N. Y.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Fidelity and Deposit Company of Maryland, corner Charles and Lexington sts., Baltimore, Md.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
American Bonding Co. of Baltimore, Md.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The City Trust Safe Deposit and Surety Co. of Philadelphia, 927 Chestnut st., Phila., Pa.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Fidelity and Casualty Company of New York, 99 to 103 Cedar st., New York, N. Y.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The U. S. Fidelity and Guaranty Company, S.W. cor. Calvert and German sts., Baltimore, Md.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Mercantile Trust Co., Pittsburg, Pa.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
National Surety Company, New York, N. Y.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Equitable Guarantee and Trust Company, NW. cor. 9th and Market sts., Wilmington, Del.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Union Trust Co. of Pittsburg, Pittsburg, Pa.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Aetna Indemnity Company, Hartford, Conn.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Union Safe Deposit and Trust Company, Portland, Me.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Pacific Surety Company, San Francisco, Cal.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Virginia Trust Company, Richmond, Va.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Equitable Trust Co. of Pittsburg, Ptsbg., Pa.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
United States Guarantee Co., New York, N. Y.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Citizens' Trust and Guaranty Co., Parkersburg, W. Va.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Bankers Surety Co., Cleveland, Ohio	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Continental Title and Trust Co., Phila., Pa.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Empire State Surety Co., New York, N. Y.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Title Guaranty and Trust Co. of Scranton, Pa.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Federal Union Surety Co., Indianapolis, Ind.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Industrial Trust, Title and Savings Co., Philadelphia, Pa.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Security Title and Trust Co., York, Pa.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x

LEGEND: = indicates State in which incorporated

*List showing Surety Companies which have qualified to do
U. S. Judicial Districts in other States and Terri
of August 13, 1894, and Army Regu*

NAME OF COMPANY.	MONT.	NEBR.	NEV.	N. C.		N. DAK.	N. H.	N. J.	N. MEX.
				Ed.	Wh.				
American Surety Company of New York, 100 Broad- way, New York, N. Y.	x	x	x	x	x	x	x	x	x
Fidelity and Deposit Company of Maryland, corner Charles and Lexington sts., Baltimore, Md.	x	x	x	x	x	x	x	x	x
American Bonding Co. of Baltimore, Md.	x	x	x	x	x	x	x	x	x
The City Trust Safe Deposit and Surety Co. of Phila- delphia, 327 Chestnut st., Phila., Pa.	x	x	x	x	x	x	x	x	x
The Fidelity and Casualty Company of New York, 99 to 103 Cedar st., New York, N. Y.	x	x	x	x	x	x	x	x	x
The U. S. Fidelity and Guaranty Company, SW. cor. Calvert and German sts., Baltimore, Md.	x	x	x	x	x	x	x	x	x
The Mercantile Trust Co., Pittsburg, Pa.	x	x	x	x	x	x	x	x	x
National Surety Company, New York, N. Y.	x	x	x	x	x	x	x	x	x
The Equitable Guarantee and Trust Company, NW. cor. 9th and Market sts., Wilmington, Del.	x	x	x	x	x	x	x	x	x
The Union Trust Co. of Pittsburg, Pittsburg, Pa.	x	x	x	x	x	x	x	x	x
The Aetna Indemnity Company, Hartford, Conn.	x	x	x	x	x	x	x	x	x
The Union Safe Deposit and Trust Company, Port- land, Me.	x	x	x	x	x	x	x	x	x
Pacific Surety Company, San Francisco, Cal.	x	x	x	x	x	x	x	x	x
Virginia Trust Company, Richmond, Va.	x	x	x	x	x	x	x	x	x
The Equitable Trust Co. of Pittsburg, Ptsbg., Pa.	x	x	x	x	x	x	x	x	x
United States Guarantees Co., New York, N. Y.	x	x	x	x	x	x	x	x	x
Citizens' Trust and Guaranty Co., Parkersburg, W. Va.	x	x	x	x	x	x	x	x	x
The Bankers' Surety Co., Cleveland, Ohio	x	x	x	x	x	x	x	x	x
The Continental Title and Trust Co., Phila., Pa.	x	x	x	x	x	x	x	x	x
The Empire State Surety Co., New York, N. Y.	x	x	x	x	x	x	x	x	x
The Title Guaranty and Trust Co. of Scranton, Pa.	x	x	x	x	x	x	x	x	x
Federal Union Surety Co., Indianapolis, Ind.	x	x	x	x	x	x	x	x	x
Industrial Trust, Title and Savings Co., Philadel- phia, Pa.	x	x	x	x	x	x	x	x	x
The Security, Title and Trust Co., York, Pa.	x	x	x	x	x	x	x	x	x

LEGEND: = indicates State in which incorporated

[illegible]

X indicates proper qualification of company.







CIRCULAR, }
No. 33. }

WAR DEPARTMENT,

WASHINGTON, July 29, 1904.

The following decision of the Comptroller of the Treasury is published for the information of all concerned:

TREASURY DEPARTMENT,

WASHINGTON, June 14, 1904.

The Honorable SECRETARY OF WAR.

SIR: By your reference I am in receipt of a communication from the Paymaster General, U. S. Army, of the 8th instant, as follows:

Referring to section 4 of the act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and to Treasury Department Circular No. 46, dated "Office of the Comptroller of the Treasury, May 23, 1904," addressed "to all disbursing officers of the United States," I desire to be informed whether the provision therein cited relating to the division of the annual and monthly compensation of "officers, agents, and employees of the United States" is to be viewed as repealing or superseding the provisions of the act of March 2, 1903, making provision for the support of the Army for the fiscal year ending June 30, 1904, which provides that—

"Hereafter in all payments to be made under the provisions of Army appropriation acts, when the rate of compensation is annual, payment shall be made monthly at the rate of one-twelfth of the annual rate, and of such monthly rate and of all other monthly rates of compensation one-thirtieth shall be the daily rate for compensation of pay for fractional parts of a month; and for the purposes of this act each and every month shall be held to consist of thirty days, whether the actual number of days be greater or less."

See also similar provision in the act making appropriations for the Ordnance Department for the fiscal year 1905 (G. O., 76, War Department, 1904).

If the first above cited be held as repealing or superseding the last cited acts, then the following questions arise: First, will an officer or enlisted man absent without leave on the 28th of February (in ordinary, not leap, year) but present for duty on March 1st, forfeit three days' pay or only one day's pay. Second, will an officer or soldier, absent without leave from February 28th to a later date than March 1st, say to the 5th day of March, forfeit one or three days' pay in February? Third, if section 4, as above cited, does not repeal or supersede the provision in the army appropriation act, will the illustrations given in Circular 46 be viewed as applying to payments from army appropriations?

It appears to this office that under the concluding clause of Circular 46, every person entering the service in February, subsequent to the first day thereof, would lose one or two days' pay; and that while the act declares that February, in common with all other months, shall contain thirty days, one entering the service on February 1st shall have thirty days' pay, while one entering on the second day shall receive but 27 days' pay. The inconsistency will more strongly appear when a soldier's entire term of service is taken into account, as one enlisting on the 28th of February and receiving but one day's pay, would be discharged on the 27th day of February and receive but 27 days' pay, making for a full three-year term of service, only 2 years, 11 months, 28 days' pay.

He requests my decision upon the following questions:

1st. Does section 4 of the act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and which reads:

That the annual compensation of officers, agents, and employees of the

United States for services rendered subsequent to June thirtieth, nineteen hundred and four, shall be divided into twelve equal installments, one of which shall be the pay for each calendar month; and in making payments for a fractional part of a month, one-thirtieth of one of such installments, or of a monthly compensation, shall be the rate to be paid for each day. For the purpose of computing such compensation each and every month shall be held to consist of thirty days, without regard to the actual number of days in any month, thus excluding the thirty-first day of any month from the computation, and treating February as if it actually had thirty days.

repeal or supersede the act of March 2, 1903, which reads:

Hereafter in all payments to be made under the provisions of army appropriation acts, when the rate of compensation is annual, payment shall be made monthly at the rate of one-twelfth of the annual rate, and of such monthly rate and of all other monthly rates of compensation one-thirtieth shall be the daily rate for compensation of pay for fractional parts of a month; and for the purposes of this act each and every month shall be held to consist of thirty days, whether the actual number of days be greater or less.

The act of March 2, 1903, *supra*, is special, applying only to army appropriation acts.

Section 4 of the act *supra* is more general in its effect, applying to the method of paying the annual and monthly compensation of officers, agents, and employees of the United States. It is said in the case of *United States vs. Nix*, 189 U. S., 205:

The rule of statutory construction is well settled that a general act is not to be construed as applying to cases covered by a prior special act upon the same subject.

I therefore answer your first question in the negative.

He suggests that if the first-cited act repeals or supersedes the last-cited act the following questions arise:

(a) Will an officer or enlisted man absent without leave on the 28th of February (in ordinary, not leap, year), but present for duty on March 1st, forfeit three days' pay, or only one day's pay?

(b) Will an officer or soldier absent without leave from February 28th to a later date than March 1st, say to the 5th of March, forfeit one or three days' pay in February?

(c) If section 4, as above cited, does not repeal or supersede the provisions in the army appropriation act, will the illustrations given in Circular 46 be viewed as applying to payments from army appropriations?

These two provisions concerning the method of computing pay are substantially alike. Each provides for exactly the same method of computation and is simply the same thing expressed in language somewhat different but meaning exactly the same thing. Each makes provision for payments of annual and monthly salaries and compensations where the service is continuous during any given month in a year, and treats each month regardless of its number of days as thirty days in duration. Each likewise makes provision for the payment of such salaries or compensation where the service is not continuous during any particular month, and each provides that in such case the person so serving a fractional part of a month shall be paid for such service at the rate of one-thirtieth of the monthly salary or compensation for each of said day's service.

I answer: (a) The officer should be paid twenty-seven thirtieths of his month's salary.

(b) The officer in question, if absent on the 28th day of February, should receive twenty-seven thirtieths of a month's pay. If he returned to duty

on March 5th he should receive for the month of March twenty-six thirtieths of a month's salary.

A month's salary, if it be an annual salary, is the one-twelfth thereof.

(c) I see no reason, the acts being substantially the same, why Circular No. 46, should not apply to payments under army appropriations.

Respectfully,

R. J. TRACEWELL,

Comptroller.

BY ORDER OF THE ACTING SECRETARY OF WAR:

GEORGE L. GILLESPIE,

Major General, Acting Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,

The Military Secretary.



CIRCULAR, }
No. 34. }

WAR DEPARTMENT,

WASHINGTON, *July 29, 1904.*

Under an act of Congress approved April 23, 1904, the President is authorized in his discretion to appoint, by and with the advice and consent of the Senate, citizens of Porto Rico to fill vacancies of 2d lieutenant in the Porto Rico Provisional Regiment of Infantry whose qualifications for such appointment shall be established by such examination as the President may prescribe. An examination of authorized candidates will be held in San Juan, Porto Rico, about January 15, 1905, with a view to filling existing vacancies of 2d lieutenant in the regiment.

Application for authority to appear before the board should be made in writing to the commanding officer, Porto Rico Provisional Regiment of Infantry, San Juan, Porto Rico, prior to December 10 of this year.

The following are the rules prescribed by the President in accordance with the act referred to:

[Extract from act approved April 23, 1904.]

Vacancies then existing (in the Porto Rico Provisional Regiment) or thereafter occurring in the grade of 2d lieutenant may be filled by the President, in his discretion, by and with the advice and consent of the Senate, by the appointment of citizens of Porto Rico for the provisional term of four years, whose qualifications for commissions shall be established by such examination as the President may prescribe, who shall also be eligible for promotion in the regiment up to and including the rank of captain, upon an examination as to their fitness.

I.--No person shall be examined unless he has a letter from the War Department authorizing his examination.

II.--Every candidate will be subjected to a rigid physical examination, and if there be found to exist any cause of disqualification which might in the future impair his efficiency as an officer of the regiment he will be rejected. The board will inquire and report concerning each applicant whether he is of good moral character or addicted to the use of intoxicating liquors. Examination as to physical qualifications will conform to the standard required of recruits, and include a certificate of physical examination by two medical officers to accompany the proceedings of the board (which will em-

brace all the information required by the form for the examination of recruits).

III--No candidate will be examined who is under twenty-one or over thirty years of age; who is not a citizen of Porto Rico; who, in the judgment of the board, is not physically qualified to discharge all the duties of an officer in active service; who has any deformity of body or mental infirmity, or whose moral habits are bad.

IV--The board being satisfied as to these preliminary points, will proceed to examine each candidate separately--

1. In his knowledge of English grammar, and his ability to read, write, and spell with facility and correctness.

2. In his knowledge of arithmetic, and his ability to apply its rules to all practical questions.

3. In his knowledge of geography, particularly in reference to the Western Hemisphere.

4. In his knowledge of the outlines of general history, and particularly the history of the United States.

5. In his knowledge of the Constitution of the United States and the organization of the Government under it.

6. The board, having examined into the mental qualifications of each candidate and his moral character and habits, will also inquire into his general qualifications, aptitude, and probable efficiency as an officer of the Porto Rico Provisional Regiment of Infantry.

7. Physical aptitude, as determined by the medical examination, and other evidence submitted to the board.

V--In awarding marks the board will give to each subject in the examination the relative weight given in the form following below. The general average of the candidate will be computed as follows:

Mark each question according to its relative weight, and reduce the aggregate of marks thus obtained in each subject to a scale of 100. The result will give the average of proficiency in the subject. Multiply the average in each subject by the number indicating the relative weight of the subject and divide the sum of the products by the sum of the relative weights, the quotient will be the general average. No candidate will be passed by the board who shall not have attained an average of 65 per cent in each subject of examination and a general average of at least 70 per cent.

Example.

No.	Subjects.	Averages.	Relative weights.	Products of multiplication by relative weights.
1	English grammar, etc	82	3	246
2	Mathematics	78	4	304
3	Geography	80	2	160
4	History	73	3	219
5	Constitutional law	65	2	130
6	Moral character and probable efficiency	96	3	288
7	Physique	87	3	261
			20	1,605
General average				80.25

VI--The examination will be conducted in the English language.

VII--Boards for the examination will be appointed by the War Department, and will consist of five commissioned officers, including two medical officers. The duties of the medical officers will be confined to inquiring into and reporting upon the physical qualifications of the candidates.

The proceedings of the board will be forwarded to The Military Secretary of the Army.

BY ORDER OF THE ACTING SECRETARY OF WAR:

GEORGE L. GILLESPIE,

Major General, Acting Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,

The Military Secretary.



Circular, }
No. 35. }

WAR DEPARTMENT,
WASHINGTON, August 22, 1904.

The accompanying list, corrected to present date, showing surety companies which have qualified to do business in the State in which incorporated, showing also the United States judicial districts in other States and Territories in which each has complied with section 2, act of August 13, 1894, and paragraph 656 of the Army Regulations, is published for the information of all concerned.

BY ORDER OF THE SECRETARY OF WAR:

GEORGE L. GILLESPIE,
Major General, Acting Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.

*List showing Surety Companies which have qualified to do
U. S. Judicial Districts in other States and Terri
of August 13, 1894, and Army*

NAME OF COMPANY.	N.A.		A.A.		ALAS.		ARIZ.		ARK.		CAL.		COLO.		CONN.	
	Nu.	Mid.	Su.						En.	Wa.	Nu.	Su.				
American Surety Company of New York, 100 Broadway, New York, N. Y.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Fidelity and Deposit Company of Maryland, corner Charles and Lexington sts., Baltimore, Md.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
American Bonding Co. of Baltimore, Md.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The City Trust Safe Deposit and Surety Co. of Philadelphia, 927 Chestnut st., Phila., Pa.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Fidelity and Casualty Company of New York, 99 to 103 Cedar st., New York, N. Y.	x	x	x						x	x	x	x	x	x	x	x
The U. S. Fidelity and Guaranty Company, S.W. cor. Calvert and German sts., Baltimore, Md.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Mercantile Trust Co., Pittsburg, Pa.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
National Surety Company, New York, N. Y.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Equitable Guarantee and Trust Company, NW. cor. 9th and Market sts., Wilmington, Del.																
The Union Trust Co. of Pittsburg, Pittsburg, Pa.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	=	
The Aetna Indemnity Company, Hartford, Conn.	x	x	x	x	x	x	x	x	x	x	x	x	x	x		
The Union Safe Deposit and Trust Company, Portland, Me.																
Pacific Surety Company, San Francisco, Cal.					x	x					=	=	x			
Virginia Trust Company, Richmond, Va.																
United States Guarantee Co., New York, N. Y.																
Citizens' Trust and Guaranty Co., Parkersburg, W. Va.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Bankers Surety Co., Cleveland, Ohio.									x	x			x			
The Empire State Surety Co., New York, N. Y.															x	
The Title Guaranty and Trust Co. of Scranton, Pa.	x	x	x		x	x	x	x	x	x	x	x	x	x	x	x
Federal Union Surety Co., Indianapolis, Ind.																
Industrial Trust, Title and Savings Co., Philadelphia, Pa.																

LEGEND: = indicates State in which incorporated.

*List showing Surety Companies which have qualified to do
U. S. Judicial Districts in other States and Terri
of August 13, 1894, and Army Regu*

NAME OF COMPANY.	MONT.	NEBR.	NEV.	N. C.		N. DAK.	N. H.	N. J.	N. Mex.
				En.	Wn.				
American Surety Company of New York, 100 Broad- way, New York, N. Y.	x	x	x	x	x	x	x	x	x
Fidelity and Deposit Company of Maryland, corner Charles and Lexington sts., Baltimore, Md.	x	x	x	x	x	x	x	x	x
American Bonding Co. of Baltimore, Md.	x	x	x	x	x	x	x	x	x
The City Trust Safe Deposit and Surety Co. of Phila- delphia, 927 Chestnut st., Phila., Pa.	x	x	x	x	x	x	x	x	x
The Fidelity and Casualty Company of New York, 99 to 103 Cedar st., New York, N. Y.	x	x	x	x	x	x	x	x	x
The U. S. Fidelity and Guaranty Company, SW. cor. Calvert and German sts., Baltimore, Md.	x	x	x	x	x	x	x	x	x
The Mercantile Trust Co., Pittsburg, Pa.	x	x	x	x	x	x	x	x	x
National Surety Company, New York, N. Y.	x	x	x	x	x	x	x	x	x
The Equitable Guarantee and Trust Company, NW. cor. 9th and Market sts., Wilmington, Del.	x	x	x	x	x	x	x	x	x
The Union Trust Co. of Pittsburg, Pittsburg, Pa.	x	x	x	x	x	x	x	x	x
The Aetna Indemnity Company, Hartford, Conn.	x	x	x	x	x	x	x	x	x
The Union Safe Deposit and Trust Company, Port- land, Me.	x	x	x	x	x	x	x	x	x
Pacific Surety Company, San Francisco, Cal.	x	x	x	x	x	x	x	x	x
Virginia Trust Company, Richmond, Va.	x	x	x	x	x	x	x	x	x
United States Guarantee Co., New York, N. Y.	x	x	x	x	x	x	x	x	x
Citizens' Trust and Guaranty Co., Parkersburg, W. Va.	x	x	x	x	x	x	x	x	x
The Bankers' Surety Co., Cleveland, Ohio	x	x	x	x	x	x	x	x	x
The Empire State Surety Co., New York, N. Y.	x	x	x	x	x	x	x	x	x
The Title Guaranty and Trust Co. of Scranton, Pa.	x	x	x	x	x	x	x	x	x
Federal Union Surety Co., Indianapolis, Ind.	x	x	x	x	x	x	x	x	x
Industrial Trust, Title and Savings Co., Philadel- phia, Pa.	x	x	x	x	x	x	x	x	x

LEGEND: = indicates State in which incorporated



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CIRCULAR, }
No. 86. }

WAR DEPARTMENT,
WASHINGTON, August 22, 1904.

The act of Congress approved April 23, 1904 (Army appropriation act) having authorized the issue of medals of honor of a new design, together with appropriate rosettes to be worn in lieu of the medals, all persons to whom such medals have been issued under the provisions of the joint resolution of Congress approved July 12, 1863, and section 6 of the act of Congress approved March 3, 1863, should forward the medals and the bowknots authorized to be worn in lieu thereof *by registered mail* to The Military Secretary of the Army, with a view to their being replaced by medals and rosettes of the new design.

All medals of honor that may hereafter be awarded, as well as those that may be issued to replace medals heretofore awarded, will be issued by The Military Secretary's Office, upon due proof of the identity of the persons in whose behalf the medals are applied for, and the fact of such issue will be recorded in that office in each case.

Medals and bowknots of the old design will be destroyed as soon as medals and rosettes of the new design shall have been issued to replace them.

BY ORDER OF THE SECRETARY OF WAR:

GEORGE L. GILLESPIE,
Major General, Acting Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.

D



CIRCULAR, }
No. 37. }

WAR DEPARTMENT,

WASHINGTON, August 30, 1904.

Circular, No. 20, War Department, May 17, 1904, is amended to read as follows:

U. S. ARMY RECRUITING CIRCULAR.

The following instructions will govern recruiting for the Regular Army hereafter:

Applicants for first enlistment must be between the ages of 21 and 35 years, of good character and temperate habits, able-bodied, free from disease, and must be able to speak, read, and write the English language. Minors will not be enlisted.

Original enlistments will be confined to persons who are citizens of the United States, or of Porto Rico, or who have made legal declaration of their intention to become citizens of the United States.

Married men will be enlisted only upon the approval of a regimental commander, or other proper commanding officer if there be no regimental organization.

Applicants will be required to satisfy the recruiting officer regarding age and character, and should be prepared to furnish the necessary evidence.

For infantry, coast artillery, and engineers the height must be not less than five feet four inches, and weight not more than one hundred and ninety (190) pounds.

For cavalry and field artillery the height must be not less than five feet four inches and not more than five feet ten inches, and weight not to exceed one hundred and sixty-five (165) pounds.

For all arms of the service the weight must be not less than one hundred and twenty-eight (128) pounds.

A variation not exceeding a fraction of an inch in maximum height, for cavalry and field artillery, is permissible if the applicant is in good health and desirable as a recruit.

Table of Physical Proportions for Height, Weight, and Chest Measurement.

HEIGHT.		WEIGHT.	CHEST MEASUREMENT.	
Feet.	Inches.	Pounds.	At expiration: Inches.	Mobility: Inches.
5 $\frac{1}{2}$	64	128	32	2
5 $\frac{1}{2}$	65	130	32	2
5 $\frac{1}{2}$	66	132	32 $\frac{1}{2}$	2
5 $\frac{1}{2}$	67	134	33	2
5 $\frac{1}{2}$	68	141	33 $\frac{1}{2}$	2 $\frac{1}{2}$
5 $\frac{1}{2}$	69	148	33 $\frac{1}{2}$	2 $\frac{1}{2}$
5 $\frac{1}{2}$	70	155	34	2 $\frac{1}{2}$
5 $\frac{1}{2}$	71	162	34 $\frac{1}{2}$	2 $\frac{1}{2}$
6	72	169	34 $\frac{1}{2}$	3
6 $\frac{1}{2}$	73	176	35 $\frac{1}{2}$	3

SEP 10 1904

It is not necessary that the applicant should conform exactly to the figures indicated in the foregoing table. A variation not exceeding eight pounds in weight or two inches in chest measurement (at expiration) below the standard given in the table is admissible when the applicant for enlistment is active, has firm muscles, and is evidently vigorous and healthy. The table is given to show what is regarded as a fair standard of physical proportions and not as an absolute guide to be followed in deciding upon the acceptance of recruits.

Marked disproportion of weight over height is not a cause for rejection unless the applicant be positively obese.

Applicants must defray their own expenses to the place of enlistment. Their fitness for the military service can be determined only upon examination at a military post or other recruiting station.

The term of service is three years.

All soldiers receive from the Government, without cost (in addition to their pay), rations, clothing, bedding, medicines, and medical attendance.

The following are the rates of pay as fixed by law:

Grade.	Pay proper per month.
COMPANY.	
Private—cavalry, artillery, and infantry.....	\$13
Musician—cavalry, artillery, and infantry.....	13
Wagoner—cavalry.....	14
Artificer—field artillery and infantry.....	15
Saddler—cavalry.....	15
Farrier and blacksmith—cavalry.....	15
Corporal—cavalry, artillery, and infantry.....	15
Cook—cavalry, artillery, and infantry.....	18
Mechanic—coast artillery.....	18
Sergeant—cavalry, artillery, and infantry.....	18
Quartermaster sergeant—cavalry, artillery, and infantry.....	18
First sergeant—cavalry, artillery, and infantry.....	25
REGIMENT OR CORPS.	
Chief trumpeter—cavalry and artillery.....	23
Principal musician—cavalry, artillery, and infantry.....	22
Drum major—cavalry, artillery, and infantry.....	25
Color sergeant—cavalry and infantry.....	25
Battalion sergeant major—infantry.....	25
Squadron sergeant major—cavalry.....	25
Sergeant major (junior grade)—artillery.....	25
Sergeant major (senior grade)—artillery.....	34
Commissary sergeant—cavalry and infantry.....	34
Sergeant major and quartermaster sergeant—cavalry and infantry.....	34
Chief musician—cavalry, artillery, and infantry.....	60
BATTALIONS OF ENGINEERS.	
Private (2d class)—company.....	13
Private (1st class)—company.....	17

Grade.	Pay proper per month.
BATTALIONS OF ENGINEERS—continued.	
Corporal and cook—company.....	\$20
Sergeant—company.....	34
Quartermaster sergeant—company.....	34
Sergeant major and quartermaster sergeant—battalion.....	36
HOSPITAL CORPS.	
Private.....	16
Private first class.....	18
Corporal.....	20
Sergeant.....	25
Sergeant first class.....	45
SIGNAL CORPS.	
Private.....	13
Private (1st class).....	17
Corporal and cook.....	20
Sergeant.....	34
Sergeant (1st class).....	45
Master signal electrician.....	75
MISCELLANEOUS.	
Ordnance sergeant.....	34
Post commissary sergeant.....	34
Post quartermaster sergeant.....	34
Electrician sergeant.....	34
Master electrician.....	75

The pay proper of enlisted men "serving in the Philippine Islands, the Island of Guam, Alaska, China, and Panama," is increased twenty per centum over and above the rates of pay proper as given herein.

When soldiers reenlist within three months of date of discharge their service is continuous, and for such continuous service there is added \$1 per month for third year, \$2 per month for fourth year, \$3 per month for fifth year, and thereafter \$2 per month additional is allowed for the sixth to the tenth year, inclusive, and for continuous service of more than ten years an additional \$1 per month for each successive period of five years.

The soldier can deposit his savings in sums not less than \$5 with any Army paymaster, and for sums so deposited for the period of six months or longer, the soldier, on his final discharge, will be paid interest at the rate of four per cent per annum. These deposits are nonforfeitable except by desertion.

Whenever a soldier is honorably discharged at the expiration of his enlistment, or on account of disability, his travel-pay is ample to carry him to the place of enlistment.

By care and economy a soldier can save from his clothing allowance a considerable sum, payable to him on his discharge.

Soldiers who have served honestly and faithfully twenty years, or who have been discharged for wounds received, or disease incurred in service, are entitled to admission to the Soldiers' Home in the city of Washington. The sum of 12½ cents per month is deducted from each soldier's pay, to be applied toward the support of the HOME. After thirty years' service enlisted men are entitled to be retired, and upon retirement receive three-fourths of the monthly pay allowed by law to them in the grade they held when retired, and \$9.50 per month additional as commutation for clothing and subsistence. In computing time for retirement credit is given a soldier for double the time of his actual service in China, Cuba, Philippine Islands, Island of Guam, Alaska, and Panama.

BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,

Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,

The Military Secretary.

CIRCULAR, }
No. 88. }

WAR DEPARTMENT,
WASHINGTON, August 31, 1904.

The following decision of the Assistant Comptroller of the Treasury is published for the information of all concerned:

An officer ordered from Zamboanga, Philippine Islands, to Fort Leavenworth, Kansas, but who had permission to proceed to San Francisco via Hongkong, is entitled only to reimbursement of what his actual expenses would have been on board a transport sailing direct from Manila to San Francisco, including actual expenses from Zamboanga to Manila and while necessarily delayed in Manila, not to exceed the amount authorized by the regulations or the amount actually expended by him.

TREASURY DEPARTMENT,
Washington, August 2, 1904.

Col. CHARLES H. WHIPPLE,
Chief Disbursing Officer,
Office of the Paymaster General, U. S. Army,
Washington, D. C.

SIR: I am in receipt of your communication of the 26th ultimo requesting my decision of a question presented as follows:

I have the honor to submit herewith an account for travel allowances for a journey performed by Lieutenant *William A. Mitchell*, Corps of Engineers, U. S. A., from Zamboanga, Philippine Islands, to San Francisco, California, between February 4 and April 15, 1904, *en route* to Fort Leavenworth, Kansas, in compliance with Special Orders, No. 72, War Department, dated November 7, 1903.

As the travel was not by the usually traveled route a decision is respectfully requested as to the allowances due the officer therefor. In connection therewith attention is invited to the statement of the officer in letter dated May 24, 1904, as to the causes for delay in Manila, and that permission was granted him to proceed to Nagasaki *via* Hongkong and join the next available transport at that port.

Paragraph 16 of Special Orders, [No. 72, War Department, issued November 7, 1903, by order of the Secretary of War, directed that—

The following-named officers of the Corps of Engineers are relieved from duty with the 3d Battalion of Engineers and will proceed to Fort Leavenworth, Kansas, and report in person to Major *Smith S. Leach*, Corps of Engineers, for duty with the 1st Battalion of Engineers:

Second Lieutenant *William A. Mitchell*;

* * * * *
The travel enjoined is necessary for the public service.

The letter of Lieutenant *Mitchell* dated May 24, 1904, addressed to the chief disbursing officer, reads:

I have the honor to inclose itemized statement of expenses for travel from Zamboanga, Philippine Islands, to San Francisco, California, *en route* to Fort Leavenworth, Kansas; no statement is made of expenses

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while in Japan, as directed in your letter of May 19, for I have no receipts for same, no idea of the amounts or items involved, and had no intention of applying for this expense.

If possible, I would request that the decision of the Comptroller be given under the supposition that I will obtain the necessary certificates from Manila, as this would involve much time and unnecessary labor in Manila if decision were unfavorable.

As regards transportation, I arrived in Manila the night of February 13, Saturday, and was informed by the chief quartermaster that the transport was full. However, I believe that transportation could have been obtained by displacing some one, but in accordance with the regulations in force in the Philippine Islands a disbursing officer can not leave the islands until he has settled his accounts with the auditor. In spite of all efforts I was unable to make complete settlement before noon of February 18. I at once applied for and obtained transportation on the next transport with the understanding that passage be reserved for me, and that I would take transport at Nagasaki. Under these circumstances would it be necessary to obtain certificate from the chief quartermaster, as transportation was furnished me as soon as I found myself free to avail myself of it?

Having no duties to perform in the Philippine Islands after noon of February 16, 1904, I made the journey in question with full knowledge that this expense might not be allowed; but as no additional expense is incurred other than would have been the case had I stayed in Manila, I present the matter for your consideration.

The following is a statement of the officer's actual expenses for travel between Zamboanga, Philippine Islands, and San Francisco, California, certified to by him:

Subsistence on the U. S. A. T. <i>Seward</i> , Zamboanga to Manila, February 4 to 13, 1904: receipt attached	\$9.33
For room and board, Manila, Philippine Islands, February 13 to 19, 1904, as per receipt attached	14.75
Cost of first-class passage, Manila to Hongkong, as per receipt attached (in event of this item not being allowed claim is made for subsistence for the 3 days occupied on this voyage)	20.00
For room and board at Hongkong, China, February 24 to 26, 1904, 3 1/2 days; and for launch hire from steamer to bund and from bund to steamer, as per bill attached, \$17.50 Mexican, rate of exchange on date of payment being 2.30	7.61
Cost of first-class passage Hongkong, China, to Moji, Japan, February 26 to March 1, as per receipt attached, \$63.00 Mexican, the rate of exchange on date of payment being 2.30 (in event of this item not being allowed claim is made for subsistence for the 4 days occupied on this voyage)	27.39
Subsistence on U. S. A. T. <i>Sheridan</i> , Nagasaki, Japan, to San Francisco, March 22 to April 15, 1904, as per receipts attached	25.67

I certify that the above is a correct statement of actual expense for travel, as performed, from Zamboanga, Philippine Islands, to San Francisco, California, and that where receipts are not filed as stated, it was impracticable to obtain same.

Under the mileage laws an officer is only entitled to actual expenses (which is a form of mileage) for travel over the shortest usually traveled route, unless he be ordered and directed to travel by a longer route.

In the present case the officer was ordered to proceed from Zamboanga to San Francisco. The shortest usually traveled route was from Zamboanga to Manila, and from Manila (by U. S. transport) to San Francisco. The permission granted officer to proceed to San Francisco *via* Hongkong, China, was not an *order* to take such route, and therefore the expenses incurred by him in going from Manila to Hongkong and thence to Nagasaki, Japan, can not be allowed.

Upon the evidence presented and the facts appearing in the case, I am of opinion that Lieutenant *Mitchell* is entitled to reimbursement of his

actual expenses for travel from Zamboanga to Manila; to reimbursement of what his actual expenses would have been while *necessarily* detained in Manila awaiting the sailing of a U. S. transport on which he could secure passage, not to exceed amount fixed in regulations, and to reimbursement of what his actual expenses would have been on board a U. S. transport sailing direct from Manila to San Francisco, not to exceed the amount for board fixed by regulations, provided that no greater amount can be allowed than the amount the officer *actually* did expend in making the journey from Zamboanga to San Francisco.

All the papers submitted by you are returned herewith.

Respectfully,

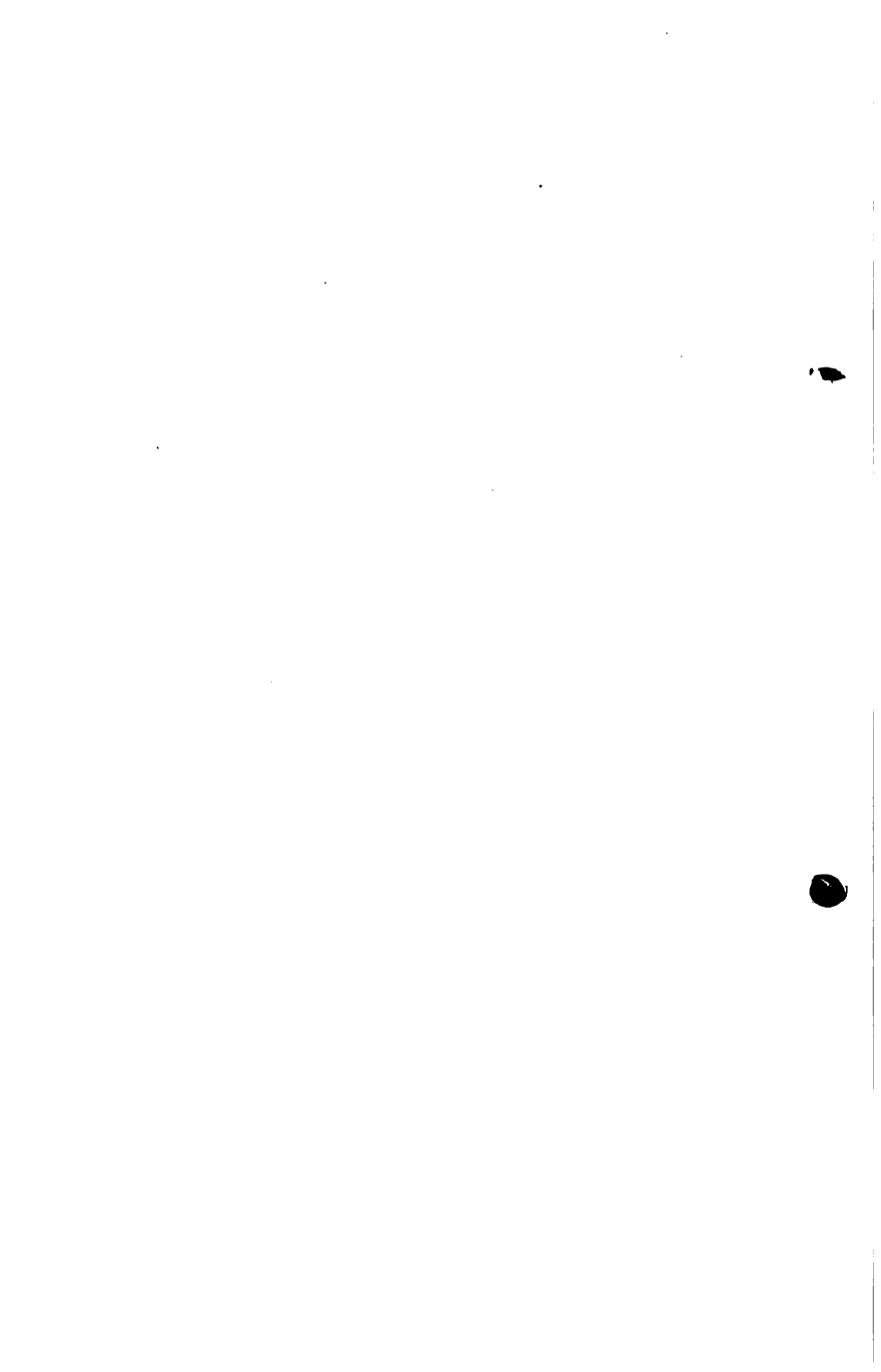
L. P. MITCHELL,
Assistant Comptroller.

BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.



CIRCULAR, }
No. 39. }

WAR DEPARTMENT,
WASHINGTON, *September 3, 1904.*

I.--New blank forms of returns for territorial divisions and departments, districts, corps, divisions, brigades, posts, regiments, companies, troops, batteries, detachments, troops in the field, and general prisoners have been adopted and are now in course of distribution. These new forms will take the place of the corresponding forms heretofore prescribed, and will be used hereafter throughout the Army. All old blank forms of returns of the foregoing description that are now on hand at any military station will be destroyed as soon as the new forms shall have been received.

II.--All quartermasters will take up on their property returns all storm windows, storm doors, window screens, screen doors, and window shades that are now or may hereafter come into their possession as quartermasters and properly account therefor.

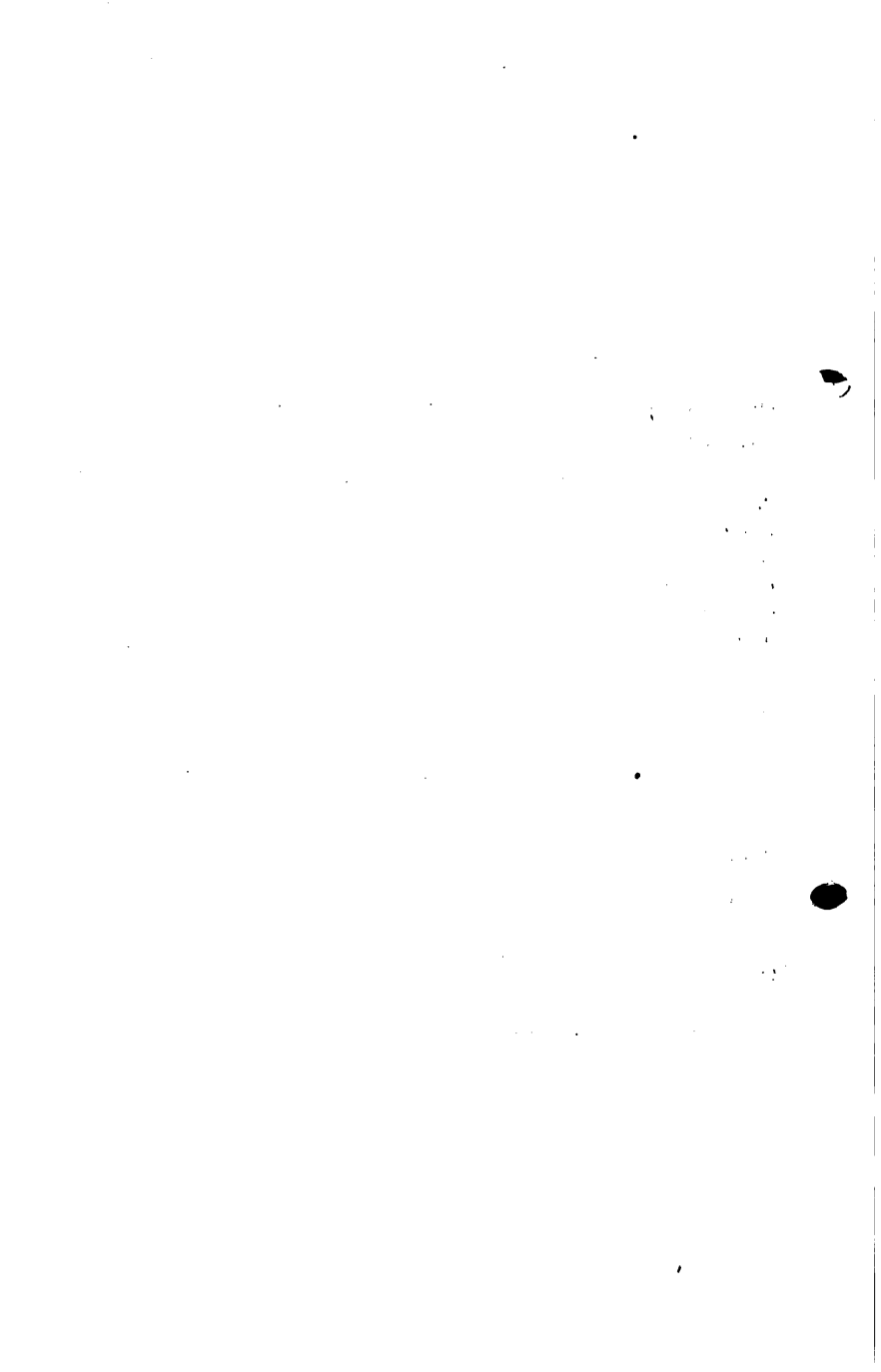
BY ORDER OF THE ACTING SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.

SEP 13 Rec'd



CIRCULAR, }
No. 40. }

WAR DEPARTMENT,
WASHINGTON, September 6, 1904.

Stores and supplies furnished to the organized militia of the various States and Territories and of the District of Columbia, pursuant to existing law, will be shipped to the governors of the States or Territories, or to the commanding general of the District of Columbia Militia, or to representatives duly designated by them.

The invoices and receipts for such stores and supplies as may be shipped under this authority will be made out in the name of, and will be sent to, the governor of the State or Territory, or the commanding general of the District of Columbia Militia, who under the provisions of Circular, No. 9, War Department, September 9, 1903, are required to account for the stores and supplies over their respective signatures.

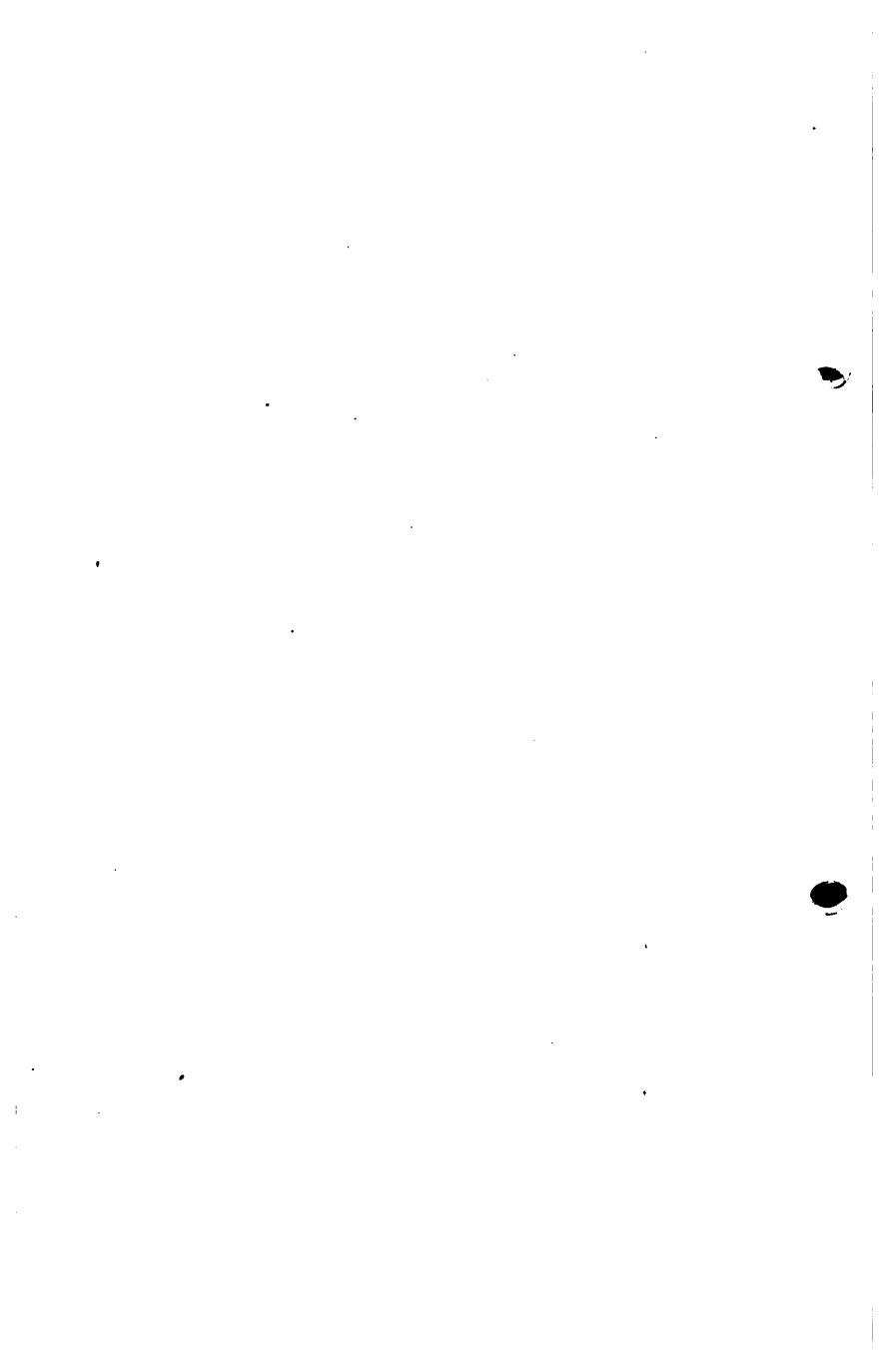
BY ORDER OF THE ACTING SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.

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CIRCULAR, }
No. 41. }

WAR DEPARTMENT,
WASHINGTON, September 8, 1904.

The following instructions with reference to settlement of clothing accounts under General Orders, No. 104, War Department, June 15, 1904, are published for the information and guidance of all concerned:

1. In making the clothing settlements of enlisted men on June 30, 1904, the allowance to be given should be obtained from General Orders, No. 95, Headquarters of the Army, Adjutant General's Office, July 1, 1903, this being the clothing order in force at that time.

General Orders, No. 108, June 15, and General Orders, No. 122, July 13, 1904, War Department, were not in force on the date of settlement, and have no bearing on the allowance to be given on the June 30, 1904, settlement.

The allowance thus fixed covered the entire allowance for periods varying with different men, but in all cases terminating with the current half year in which the particular man was serving June 30, 1904.

The allowance thus given was final for that period. The fact that General Orders, No. 108, War Department, June 15, 1904, established a different allowance to take effect July 1, 1904, or that General Orders, No. 122, War Department, July 13, 1904, changed the allowance in certain cases from the date of its publication, did not affect the finality of the allowance given on June 30, 1904, for the periods of service covered by that settlement.

General Orders, No. 108, June 15, and General Orders, No. 122, July 13, 1904, will be used to determine allowances to be given on *settlement dates* subsequent to the dates they came into force, but will not be used to modify allowances given on previous settlements, even though the period covered by the settlement extends beyond July 1 or July 13, 1904, the dates when General Orders, No. 108, and General Orders, No. 122, respectively, became effective.

2. The object of the new system of settling clothing accounts is to avoid the necessity of daily allowances and incident calculations.

The period of enlistment is divided into six periods each of six months; each of these periods includes one settlement date, and on that date the soldier will be given the allowance prescribed in the table in effect on that date for the grade he holds on that date for the half year in which he is serving.

This involves no possible trouble in the case of men who enlist, serve, and are discharged per expiration of service.

8. Where soldiers are absent without leave for short periods, no deduction is made therefor at the following settlement dates; the deductions result from their retention in service to make good time lost, no allowance being provided for the period they are so retained in service.

4. The cases resulting from desertion are similarly treated. On each settlement date that a man is carried in the service he is credited with the corresponding half-year's allowance; for example, a soldier enlists May 25, 1904, and deserts July 3, 1904; he receives on June 30, 1904, the allowance prescribed in the clothing table in force on June 30, 1904, for the first six months' service corresponding to his grade on that date. On his desertion his account is closed without further allowance, but no deduction is made on account of the fact that he did not complete the half-year's service for which he had received clothing allowance.

The soldier is apprehended or surrenders November 20, 1905, a new clothing account is opened, and on December 31, 1905, if still in service, he is credited with the allowance prescribed in the order then in force for the second six months' service, and if continued in service will, on each successive settlement date, receive credit for the corresponding allowance until he has received credit for six half-year's allowance. If, in making good the time lost through desertion, he should be in service on a seventh settlement date, he would on that date receive no allowance.

5. A credit having once been given a soldier, in accordance with General Orders, No. 104, War Department, June 15, 1904, on his clothing account, is final for the period covered by that settlement and no deduction is made therefrom because of the date of his subsequent discharge, nor is it modified because of a subsequent change in the clothing table.

6. The additional clothing allowance for service in Alaska will be credited at each settlement for the number of days of actual service in Alaska since the last prior settlement without reference to the allotment of the regular clothing allowance.

BY ORDER OF THE ACTING SECRETARY OF WAR:

ADNA R. CHAFFEE,

Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,

The Military Secretary.

CIRCULAR }
No. 42. }

WAR DEPARTMENT,
Washington, September 16, 1904.

The following text-books are prescribed for use in the garrison schools; the service schools, and the Staff College, as set forth herein. Where only portions of a designated book are to be used in the course the subjects are mentioned in connection with the title of the book. Where the book is mentioned only by title the entire contents are prescribed; but in each of the service schools the commandant is authorized to use his discretion in regard to making such omissions as may be desirable in order to avoid a needless repetition of subjects in the course, or to accommodate the course to the time available.

GARRISON SCHOOLS FOR OFFICERS.

For engineer officers.

Army Regulations.

Engineer Department Regulations, as found on pages 1 to 9, inclusive, General Orders and Circulars, Chief of Engineers, June 26, 1902.

Engineer Drill Regulations (when issued), such portions as relate especially to engineer troops.

Pontoon Manual.

Small-arms Firing Regulations.

Field Service Regulations.

Field Fortification, Fiebeger.

Chatham Text-books on Military Engineering.

Part II. Attack and Defense of Fortified Places.

Part IV. Mining and Demolitions.

Part V. Encampments and Miscellaneous.

Omit all parts relating to English service material. The Chatham books will be replaced by the corresponding sections of the Engineer Field Manual when issued.

The Principles of Land Defense, Thuiller.

To be read only; a subject for recitation but not for examination.

Theory and Practice of Surveying, Johnson. 16th ed., 1902.

To be read only, as subjects of recitation but not for examination; sections 54, 102, 103, 122a, 144 to 149 (inclusive), 338 to 371 (inclusive), and 395 to end. Omit Chapters V and VI, to include section 140; Chapters XI and XII.

Topographic Surveying, Wilson. 1st ed., 1901.

Read only, recitation, not examination, Chapters I, XIV, XIX, XX, XXI, XXII, XXV, XXVI, XXVIII, and XXIX. Omit Chapters III, V, VI, sections 85 to 94 (inclusive), Chapter XII, sections 113 to 115 (inclusive), Chapters XV and XVII, and Parts V, VI, and VII.

Official English Manual of Field Sketching and Reconnoissance.

Omit Chapter XI. This book will be replaced by the corresponding section of the Engineer Field Manual when issued.

Roads and Pavements, Baker. 1st ed., 2d thousand, 1903.

Omit Chapters VII and XX.

Railroad Construction, Webb. 2d ed.

Read only, for recitation, not examination, Chapters V and VIII, sections 217 to 224 (inclusive), sections 225, 233a, and 243; Chapters IX, X, XIV, XV, XVI, XVII, XXI, sections 417 to 426 (inclusive). Omit sections 27 to 34 (inclusive), 36 to 40 (inclusive), 52, 53, 262 to 275 (inclusive), 279, 286 to 292 (inclusive), 452 to 454 (inclusive), Chapters II, XI, XVIII, XIX, XX, and XXIV.

Water Supply Engineering, Folwell. 2d ed., 1901.

Read only, for recitation, not examination, Articles 12, 24 to 27 (inclusive), pages 307 to 310 (inclusive), and 313; Articles 81 to 85 (inclusive), 90, 91, 93, 96 to 100 (inclusive), 103 to 109 (inclusive), 113, 114, 115, and appendixes. Omit articles 9 and 15, pages 113 to 118 (inclusive), Articles 44, 64, and 66 to 70 (inclusive).

Sewerage, Folwell. 5th ed., 1902.

Read only, for recitation, not examination, Articles 51 to 55 (inclusive), 57 to 62 (inclusive), 65 to 69 (inclusive), 92 and 97, appendixes 1 and 3. Omit Articles 50 and 56. Appendix 2.

Masonry Construction, Baker.

Article on common lime and the chapter on sand, gravel, and broken stone, only.

Hydraulic Cement, Spalding.

Omit Chapter VIII, on special tests, and appendix.

Notes on Concrete and Works in Concrete, Newman.

Read only, for recitation, not examination, Chapters VIII to XVII (inclusive). Omit Chapters I to VII (inclusive).

Engineer Department Standard Cement Specifications.

Read only, for recitation, not examination, technical appendixes, annual reports of Chief of Engineers for 1901, 1902, and 1903, relating to waterproofing and damp-proofing of concrete.

Treatise on Masonry Construction, Baker.

Omit Chapters III, IIIa, IV, XII, and appendixes.

Practical Treatise on Foundations, Patton.

Read only, for recitation, not examination, supplement.

Omit Part I, all excepting Article I; Articles XLII, XLIII, and XLIV.

Roofs and Bridges, Merriman and Jacoby.

Part I, read only; Articles 86 to 93 (inclusive). Omit Articles 52 to 55 (inclusive) and 75 to 85 (inclusive).

Part II, read only, Articles 49 to 54 (inclusive) and 56 to 65 (inclusive). Part III, read only, Articles 17 to 36 (inclusive). Omit Articles 13 to 16 (inclusive), 70 to 103 (inclusive), and 120 to end. Part IV, omit Articles 2 to 23 (inclusive), 28, 32 to 40 (inclusive), 54 to 57 (inclusive), 62 to 65 (inclusive), 67 to 73 (inclusive), and 76 to end.

Engineer Field Manual.

Section on bridges, when issued.

Building Construction and Superintendence, Kidder, 1902 ed.

Vol. I, read only, Chapters X, XI, XII, and appendix. Omit pages 1 to 85 (inclusive), Chapters IV and XIII. Vol. II, omit Chapters III, VI, VIII, and appendixes.

Ventilation and Heating, Billings.

Read only pages 26 to 41 (inclusive); pages 49 to 60 (inclusive), and pages 91 to 113 (inclusive). Omit Chapters IV, IX, and XIV to XIX (inclusive).

For officers of Coast Artillery.

Army Regulations.

Drill Regulations, Coast Artillery, and revised edition, provisional.

Ordnance Department pamphlets, as follows:

Instructions for Mounting, Using, and Caring for the 12-inch Disappearing Carriage, L. F., Model 1901.

Instructions for Mounting, Using, and Caring for the 6-inch Disappearing Carriage, L. F., Model 1903.

Instructions for Mounting, Using, and Caring for the 6-inch Barbette, Model 1900.

Instructions for Mounting, Using, and Caring for the 12-inch Mortar, Steel, Model 1896.

Description of Breech Mechanism, Seacoast Cannon, Ordnance Department.

Handbook of Sights for Cannon, Part II.

Telescopic Sights, Description of Sights, pages 31-38; Instructions for Using Sights, pages 41-44; Care and Preservation of Telescopic Sights, pages 45-46; The Four Adjustments, pages 52-53; Directions for Testing the Adjustment of Sight Bracket, etc., page 57.

Gunner's Quadrant and Use, pages 12-15.

Paints for Projectiles, Ordnance Department.

Distinctive Colors for Projectiles, Ordnance Department.

Artillery Notes, to be published later.

Artillery Notes, No. 16.

Directions for Drying and Blending Powders at Forts, Ordnance Department.

Artillery Notes, No. 1.

Crusher Gauges for Cannon, Ordnance Department.

Fuses for Field, Siege, and Seacoast Powder-charged Shell and Shrapnel, Ordnance Department.

Stability Tests for Nitrocellulose and Nitrocellulose Powders, Journal U. S. Artillery, September-October, 1903.

Artillery Notes, Nos. 3 and 8.

Azimuth Instrument, Model 1900, Ordnance Department.

Description of the Swasey Depression Position Finder, Type A, Ordnance Department.

Artillery Notes, No. 5.

Description and Use of the Pratt Ballistic Board, Ordnance Department.

Firing Regulations for Small Arms, 1904.

Part III, Chapters I and II, pages 45-61 (inclusive); Chapter IV, pages 65-68; Part IV, Chapter III, Special Course "A," page 95.

Manual of Guard Duty.

Paragraphs 1 to 330, inclusive; 375 to end.

Handbook of Problems in Exterior Ballistics, Ingalls.

(Artillery Circular N, War Department, 1900), Chapter II, Rectilinear Motion; Chapter III, Coefficient of Reduction and Altitude Factor; Chapter IV, Problems Relating Chiefly to Range; Chapter V, Problems Relating Chiefly to Angle of Departure; Chapter VI, Muzzle Velocity and Reduced Muzzle Velocity; Chapter VII, Problems of Coordinates of Horizontal Trajectory, pages 91-93 and 99. Instruction to be limited to solution of problems and use of formulas and tables.

Range Tables and Graphic Range Tables, Ordnance Department.

Treatise on the Military Law of the United States, Davis.

Chapters IV-XI, pages 26-210 (inclusive).

The Service of Security and Information, Wagner. (Revised edition of 1903.)

Organization and Tactics, Wagner.

Chapters I, II, III, V, VII, IX, X, and XI.

Field Service Regulations.

Articles II, V, VII, VIII, IX (omitting D), X, and XI.

All the World's Fighting Ships, Jane.

Artillery Notes, No. 2.

Artillery Notes, to be published.

U. S. Torpedo Manual.

Artillery Notes, No. 11.

Pages 1 to bottom of 26 (inclusive), and from middle of page 31 to end.

Military Hygiene, Woodhull. (Revised edition.)

Military Field Engineering. Beach, 7th ed.

Omit Chapters IV, XIV, paragraph 287, page 187; paragraphs 325 to 240 (inclusive); Chapter XVII.

The Elements of International Law, Davis.

Under the following heads:

Perfect and Imperfect Rights.

Right of Legation.

Treaties and Conventions.

War.

Neutrality.

Contraband of War.

Blockade.

Right of Search.

For officers of Field Artillery.

The Army Horse in Accident and Disease, Plummer and Power.

Diseases of the Horse, Department of Agriculture, revised ed., 1903.

Take pages 9 to middle of 44, and 552 to end of book.

Provisional Drill Regulations Field Artillery, 1904.

The Tactical Employment of Quick-firing Field Artillery.

Rouquerol. Translated by Captain Radcliffe (Hugh Rees, London, 1903).

Letters on Artillery, Hohenlohe.

Horses, Saddles, and Bridles, Carter. (Revised edition of 1902.)

Chapters I, III, IV, VI to IX (inclusive), XI to XIII (inclusive), and XV to end.

Service of Security and Information, Wagner. (Revised edition of 1903.)

Chapters I to VI (inclusive), IX to end.

Organization and Tactics, Wagner.

Chapters I to III (inclusive), V, VII, IX, X, and XI.

Field Service Regulations.

Articles II, V, VII, VIII, IX (omitting D), X, and XI.

Seats and Saddles, Dwyer.

Part III, on Draft and Draft Horses.

Military Topography and Sketching, Root.

Chapters I, III, VI, XI, XV to end.

Military Field Engineering, Beach.

Military Hygiene, Woodhull. (Revised edition.)

For officers of infantry and cavalry.

Army Regulations.

Infantry or Cavalry Drill Regulations.

Manual of Guard Duty.

Field Service Regulations.

Articles II, V, VII, VIII, IX (omitting D), X, and XI.

Service of Security and Information, Wagner. (Revised edition of 1903.)

Organization and Tactics, Wagner.

Chapters I to III (inclusive), V, VII, IX, X, and XI.

Military Topography and Sketching, Root.

Chapters I to VI (inclusive), VII, IX, XI, XIV to XX (inclusive), XXII to end, omitting appendixes.

Manual of Field Engineering, Beach.

International Law, Davis.

Chapters I to IV (inclusive), IX, X, XII, XIII, XVI to end, omitting appendixes.

Military Law, Davis.

Manual of Courts-martial.

Military Hygiene, Woodhull. (Revised edition.)

Horses, Saddles, and Bridles, Carter. (Revised edition of 1902.)

THE ARTILLERY SCHOOL, FORT MONROE, VA.

Interior Ballistics, Ingalls.

Ballistic Machines, Ingalls.

Artillery Circulars M and N.

Artillery Notes, 10 and 11.

Table of five-place logarithms.

Power and Power Transmission, Kerr.

Practical Lessons in Electricity, Swoope.

Handbook for the Use of Electricians, Anderson.

Torpedo Manual.

Telephones: Artillery Notes, No. 17.

Telautographs: Artillery Notes, Nos. 4 and 5.

Storage Batteries: Artillery Notes, No. 18.

Oil Engines: Artillery Notes, No. 12.

Ordnance and Gunnery, Fullam and Hart, 1903.

Artillery Circular D.

Notes on Naval Progress, 1902.

Ordnance Department pamphlets, as follows:

- Breech Mechanisms for Service Seacoast Cannon.
- Instructions for Mounting, Using, and Caring for Disappearing Carriage, L. F., Model 1897, for 12-inch B. L. Rifle.
- Description of 12-inch B. L. Mortar and Instructions for its Use.
- Instructions for Mounting, Using, and Caring for Mortar Carriages (Model of 1896), for 12-inch B. L. Mortar (steel).
- Description and Instructions for the Care of the 5-inch and 6-inch R. F. Guns.
- Instructions for 4.7 Armstrong (120 mm.) Gun.
- Instructions for Mounting, Using, and Caring for Driggs-Seabury 15-pounder Rapid-fire Guns and their Masking Parapet Mounts.
- Instructions for Mounting, Using, and Caring for 6-pounder Rapid-fire Guns and Parapet Mounts.
- Handbook of Sights for Cannon.
- Instructions for Using and Repairing Dudgeon's Hydraulic Jacks.
- Crusher Gauges.
- Description of Azimuth Instruments, Model 1900.
- Description of Swasey Depression Position Finder, Type A.
- Notes on Coast Defense, Department of Artillery, 1904.
- Notes on Coast Artillery Projectiles, Department of Artillery, 1904.
- Notes on Chemistry, Department of Artillery, 1904.
- Laboratory Notes, Department of Artillery, 1904.
- Artillery Notes, Nos. 1, 3, 5, and 16.
- All the World's Fighting Ships, Fred T. Jane, latest edition.

THE ENGINEER SCHOOL, WASHINGTON BARRACKS, D. C.

- Elementary Lessons in Electricity and Magnetism, Thompson.
- Electric Lighting, 2 vols., Crocker.
- Dynamo Electric Machinery, 2 vols., Thompson.
- Storage Battery Engineering, Lyndon.
- Elements of Steam Engineering, Spangler and Greene.
- Steam Power Plants, Meyer.
- Gas, Gasoline, and Oil Engines, Hiscox.

Ordnance and Gunnery, Bruff.

All the World's Fighting Ships, Jane.

Notes on Naval Progress.

Naval Annuals, Brassey.

Permanent Fortification, Fiebeger.

Attack of Fortified Places, Mercur.

Fortification, Clarke.

Influence of Sea Power on History, Mahan.

Influence of Sea Power on the French Revolution, Mahan.

Study of Campaigns. Selected accounts thereof.

Organization and Tactics, Wagner.

Mimeographs, Engineer Department.

THE SCHOOL OF SUBMARINE DEFENSE, FORT TOTTEN, N. Y.

Descriptive General Chemistry, Tillman.

Lectures on Explosives, Walke.

Official Methods for Examination of Nitrocellulose and of
Smokeless Powder for Cannon, Ordnance Department,
December, 1903.

Practical Electricity, Swoope.

Electrical Engineering, Rosenberg.

Torpedo Manual.

Gas and Oil Engines, Goldingham.

Electrician sergeant's department.

Pamphlets of the International School of Correspondence on
the following subjects:

Arithmetic.

Mensuration.

Principles of Mechanics.

Machine Elements.

Mechanics of Fluids.

Strength of Material.

Heat and Steam.

Types of Steam Boilers.

Boiler Details.

Boiler Fittings.

Combustion, Firing, and Draft.

Boiler Management.

The Steam Engine.

Valve Gears.

Pamphlets of the International School of Correspondence on the following subjects—Continued.

Governors.

Engine Management.

Engine Installation.

Elements of Electricity and Magnetism.

Dynamos and Motors.

Dynamo Electrical Machinery.

Alternating Current.

Electric Transmission.

Interior Wiring.

Handbook for the Use of Electricians in the Operation and Care of Electrical Machinery and Apparatus of the U. S. Seacoast Defenses, Anderson.

Notes on the Oil Engine, Davis.

Notes on the Telephone, Davis.

The Chloride Accumulator, The Chloride Accumulator Company.

The Telautograph Notes from the Gray National Telautograph Company.

THE SCHOOL OF APPLICATION FOR CAVALRY AND FIELD ARTILLERY, FORT RILEY, KANS.

Cavalry school..

The Army Horse in Accident and Disease, Plummer and Power.

Horses, Saddles, and Bridles, Carter. (Revised edition of 1902.)

Pamphlet on the subject of horseshoeing now in course of preparation at the training school for farriers and horse-shoers.

Cavalry Drill Regulations.

The Service of Security and Information, Wagner. (Revised edition of 1903.)

Organization and Tactics, Wagner.

Firing Regulations for Small Arms.

Field Artillery school.

The Army Horse in Accident and Disease, Plummer and Power.

Horses, Saddles, and Bridles, Carter. (Revised edition of 1902).

Service of Security and Information, Wagner. (Revised edition of 1903.)

Organization and Tactics, Wagner.

Authorized Drill Regulations.

Instruction Pamphlets on Field Artillery, Ordnance Department.

Artillery Circulars.

THE ARMY MEDICAL SCHOOL, WASHINGTON, D. C.

Military Hygiene, Munson.

Tropical Diseases, Hanson.

Manual of Chemistry, Simon.

Army Regulations.

Field Service Regulations.

Manual for the Medical Department.

Tripler's Manual.

Hospital Corps Drill Regulations.

Manual for Courts-martial.

Manual for Quartermaster's Department.

In so far as it relates to Medical Department organization, or the duties of medical officers.

Manual for the Pay Department.

In so far as it relates to Medical Department organization, or the duties of medical officers.

Manual for the Subsistence Department.

In so far as it relates to Medical Department organization, or the duties of medical officers.

Handbook of Subsistence Stores.

Cavalry Drill Regulations.

Pages 5 to 15 (inclusive), paragraphs 198 to 217 (inclusive), 269 to 373 (inclusive), 389 to 394 (inclusive), 995 to 1000 (inclusive), 1013 to 1057 (inclusive), 1112 to 1121 (inclusive).

THE SIGNAL SCHOOL, FORT LEAVENWORTH, KANS.

Manual of Signaling.

Drill Regulations for Signal Corps.

Signal Corps Manuals, Nos. 1 and 2.

Signal Corps Memorandums, Nos. 2 and 3.

Manual of Photography.

Cable Notes of 1902.
 American Telegraphy, Maver.
 Wireless Telegraphy, Maver.
 American Telephony, Miller.
 Manual of the Steam Engine, Thurston.
 Manual of Steam Boilers, Thurston.
 Gas, Oil, and Air Engines, Donkin.
 Horseless Vehicles, Hiscox.
 Electrical Testing, Kempe.
 Electrical Machinery, Ryan.
 Introduccion a la Lengua Castellana.
 First and Second Spanish Books, Worman.
 How to think in Spanish, Kroeh.
 Spanish Verb, Traub.
 Eco de Madrid.
 Cuentos Castellanos.
 Compendio de la Gramatica Castellana.

THE INFANTRY AND CAVALRY SCHOOL, FORT LEAVENWORTH,
 KANS.

Military Topography, Root.
 Military Field Engineering, Beach.
 Military Hygiene, Woodhull.
 Military Hygiene, Munson.
 Introduccion a la Lengua Castellana.
 First and Second Spanish Books, Worman.
 How to Think in Spanish, Kroeh.
 Spanish Verb, Traub.
 Eco de Madrid.
 Cuentos Castellanos.
 Compendio de la Gramatica Castellana.
 Elementary Law, Smith.
 Criminal Law, Clark.
 The Laws of Evidence, McKelvey.
 Manual for Courts-martial.
 Military Law, Winthrop.
 Military Law, Davis.
 The Service of Security and Information, Wagner. (Revised
 edition of 1903.)
 Organization and Tactics, Wagner.

Infantry Fire Tactics, Mayne.
 The Infantry Weapon and its Use in War.
 Verdy Du Vernois's War Game, Swift's translation.
 Operations of War, Hamley.
 Letters on Applied Tactics, Griepenkerl.
 General Staff Duties, Von Schellendorf.

THE STAFF COLLEGE, FORT LEAVENWORTH, KANS.

Attack of Fortified Places, Mercur.
 Permanent Fortification, Fiebeger.
 Practical Astronomy, Michie and Harlow.
 Constitutional Law, Black.
 Military Government and Martial Law, Birkhimer.
 International Law, Davis.
 Including G. O. 100, and the Geneva and Hague Conventions.
 The Service of Security and Information, Wagner. (Revised edition of 1903.)
 Organization and Tactics, Wagner.
 Infantry Fire Tactics, Mayne.
 The Infantry Weapon and its Use in War.
 Verdy Du Vernois's War Game, Swift's translation.
 Operations of War, Hamley.
 Letters on Applied Tactics, Griepenkerl.
 General Staff Duties, Von Schellendorf.

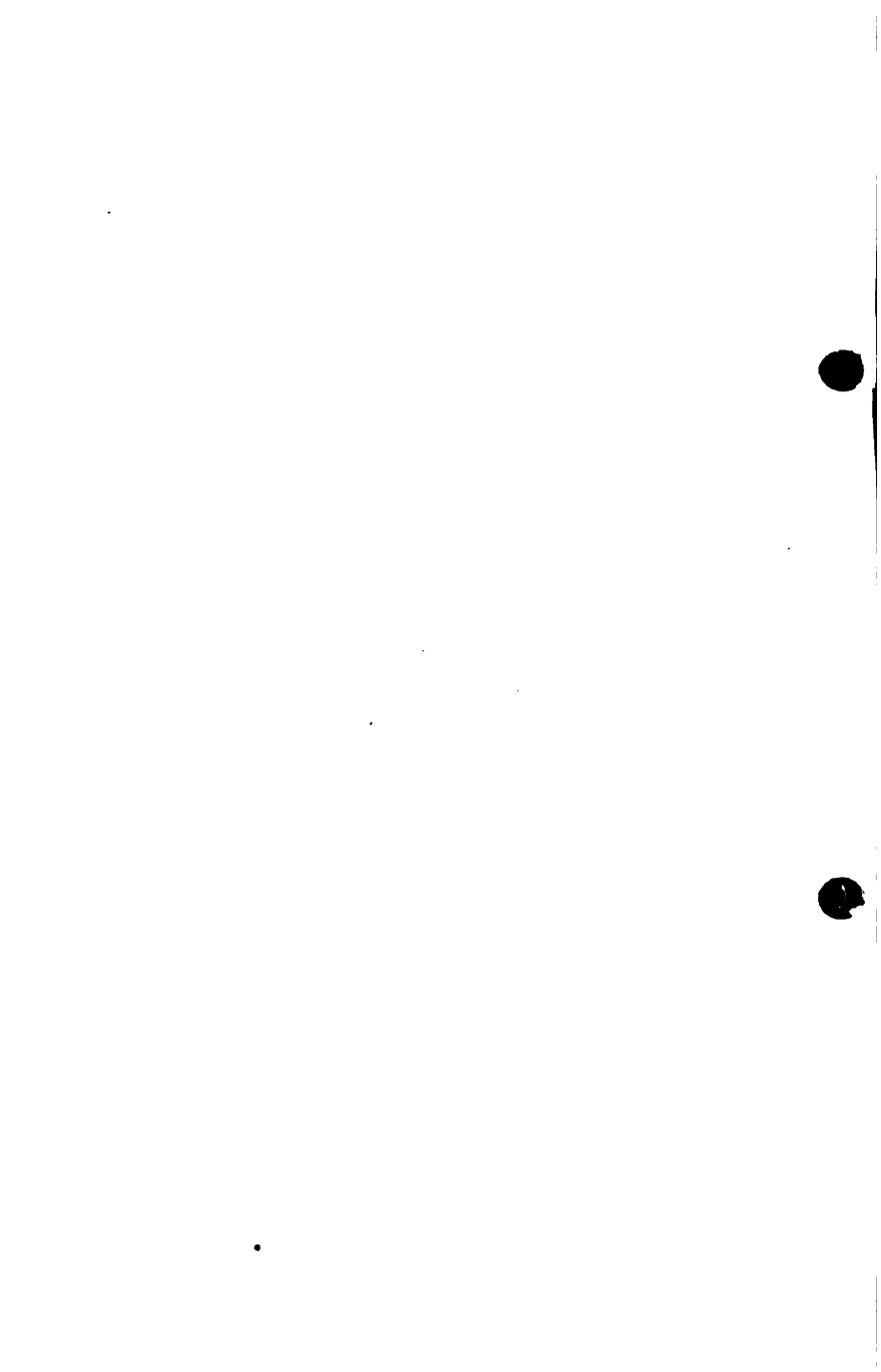
BY ORDER OF THE ACTING SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.





CIRCULAR, }
No. 48. }

WAR DEPARTMENT,
WASHINGTON, *September 19, 1904.*

I.—Circular, No. 40, War Department, September 6, 1904, is hereby amended to read as follows:

Stores and supplies furnished to the organized militia of the various States and Territories and of the District of Columbia, pursuant to existing law, will be shipped to the governors of the States or Territories, or to the commanding general of the District of Columbia Militia, or to representatives duly designated by them. Such shipments will, however, be limited to one point in each State or Territory.

The invoices and receipts for such stores and supplies as may be shipped under this authority will be made out in the name of, and will be sent to, the governor of the State or Territory, or the commanding general of the District of Columbia Militia, who under the provisions of Circular, No. 9, War Department, September 9, 1903, are required to account for the stores and supplies over their respective signatures.

II.—The following letter from the Acting Secretary of the Treasury is published for the information and guidance of all concerned:

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
WASHINGTON, *September 6, 1904.*

The Honorable the SECRETARY OF WAR.

SIR: I have the honor to inform you that, in compliance with the request contained in your letter of the 2d instant, the Western National Bank of Oklahoma City, Oklahoma, a depository of public moneys, has this day been specially designated for the reception, safe-keeping, and disbursement of funds advanced to disbursing officers of the War Department. The security furnished by the bank is \$200,000 U. S. bonds.

Respectfully,

R. B. ARMSTRONG,
Acting Secretary.

BY ORDER OF THE ACTING SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.

OCT 3 Rec'd



CIRCULAR, }
No. 44. }

WAR DEPARTMENT,
WASHINGTON, *September 28, 1904.*

The following letter from the Acting Secretary of the Treasury is published to the Army for the information and guidance of all concerned:

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, September 13, 1904.

The Honorable the SECRETARY OF WAR.

SIR: I have the honor to inform you that the First National Bank of Junction City, Kansas, has this day been discontinued as a depository for funds of U. S. disbursing officers, at its own request.

* * * * *

Respectfully,

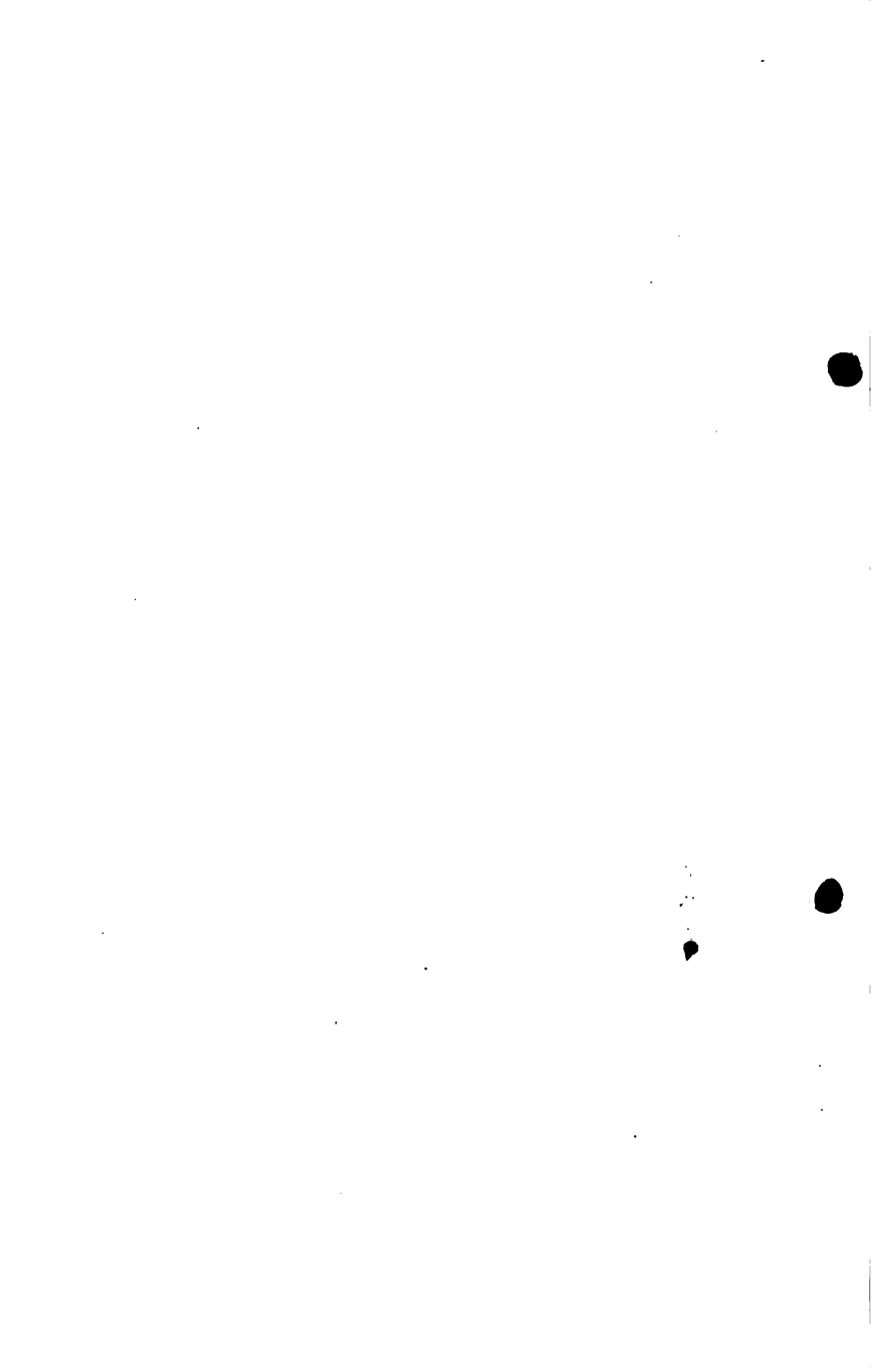
H. A. TAYLOR,
Acting Secretary.

BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.



CIRCULAR, }
No. 45. }

WAR DEPARTMENT,
WASHINGTON, October 10, 1904.

When called upon to make recommendations of enlisted men to be designated for instruction at the Training School for Farriers and Horseshoers at the School of Application for Cavalry and Field Artillery, Fort Riley, Kansas, troop, battery, company, and detachment commanders will exercise care that the following requirements are fully complied with:

1. The enlisted men recommended must be of excellent character.

2. For farriers, the men recommended must be intelligent, well grounded in reading, writing, and arithmetic, and must be in good physical condition.

3. For horseshoers, the men must be intelligent, in good health, and of suitable conformation for the work of a horseshoer, namely, have a short, broad back and good muscular development.

4. Commanders of organizations will note in the descriptive lists of men ordered for instruction "farriers' class" or "horseshoers' class," depending upon the nature of the instruction to be required.

Communications concerning men detailed for or undergoing instruction at the Training School for Farriers and Horseshoers should be addressed to the "Commandant, School of Application for Cavalry and Field Artillery, Fort Riley, Kansas."

Battery commanders are reminded that stable sergeants, or enlisted men to be promoted to that position, may be designated to undergo instruction in the farriers' class.

BY ORDER OF THE ACTING SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.



CIRCULAR,
No. 46.

WAR DEPARTMENT,
WASHINGTON, October 11, 1904.

The attention of officers and enlisted men is drawn to the following provision of the Revised Statutes:

1784. No officer, clerk, or employee in the United States Government employ shall at any time solicit contributions from other officers, clerks, or employees in the Government service, for a gift or present to those in a superior official position; nor shall any such officials or clerical superiors receive any gift or present offered or presented to them as a contribution from persons in Government employ receiving a less salary than themselves; nor shall any officer or clerk make any donation as a gift or present to any official superior. Every person who violates this section shall be summarily discharged from the Government employ.

The foregoing enactment includes within the statutory prohibition the soliciting of contributions by one officer or employee from other officers or employees of the United States when such contributions are to be used for the purchase of gifts or presents to those in superior official position. The receiving of presents by officers from their juniors in rank or from civilian employees of the several staff departments also falls within the prohibition of the section which imposes the penalty of summary dismissal upon all those who by soliciting contributions or by giving or receiving presents become subject to its penal operation.

The practice of receiving presents from persons not in the military establishment or in the employ of the Government in recognition of services rendered, though not expressly forbidden, is opposed to the spirit of the statute and for that reason is not approved by the Department.

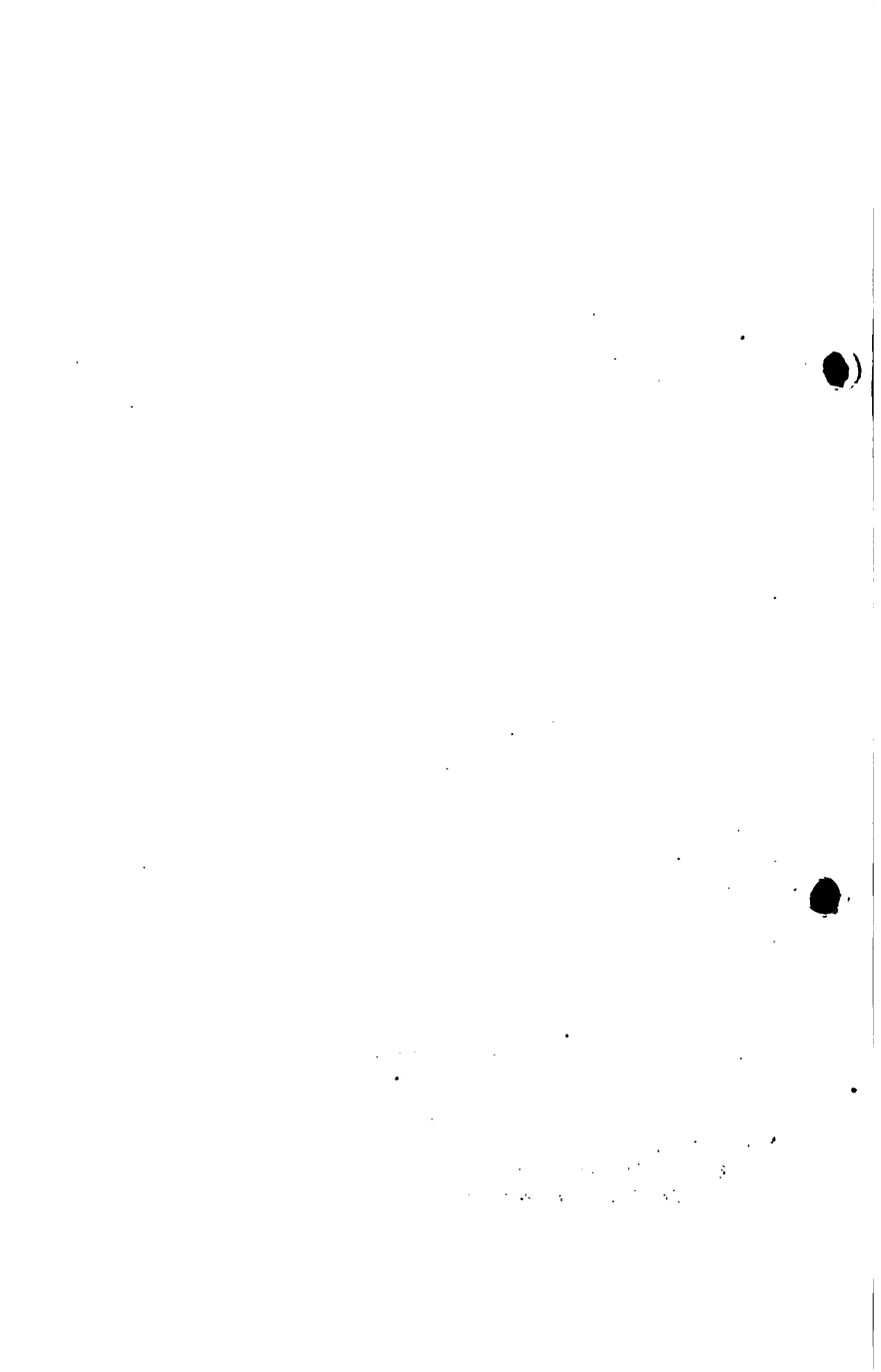
The requirements of the statute above cited will hereafter be strictly observed in all branches of the military establishment.

BY ORDER OF THE ACTING SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.



CIRCULAR, }
No. 47. }

WAR DEPARTMENT,
WASHINGTON, October 23, 1904.

The following decision by the Acting Comptroller of the Treasury, construing the proviso in the appropriation act of April 23, 1904 (23 Stat., 267), that "all allowances for mileage shall be made solely from the sums herein appropriated for such purposes" is published for the information and guidance of all concerned:

All allowances for mileage for travel during the fiscal year 1905 on purely Army business, or other business of a military character, unless otherwise specifically provided for, must be paid from appropriation "Mileage to Officers and Contract Surgeons, 1905."

TREASURY DEPARTMENT,
OFFICE OF THE COMPTROLLER OF THE TREASURY,
Washington, October 22, 1904.

The Auditor for the War Department has submitted for approval, disapproval, or modification the following decision:

In the examination of the accounts of Captain T. C. Dickson, of the Ordnance Department of the Army, for the month of July, 1904, the question arises as to whether or not the mileage for travel by officers of the Army on duty connected with the Board of Ordnance and Fortification can properly be charged against the appropriation "Board of Ordnance and Fortification," in view of the provision of law contained in the act of Congress for the support of the Army approved April 23, 1904, reading as follows:

"Provided, * * * and all allowances for mileage shall be made solely from the sums herein appropriated for such purposes." (See 33 Stat., 267.)

The provision cited occurs in one of the annual acts for the support of the Army and in connection with provisions governing the expenditure of the appropriation for the pay, mileage, and other miscellaneous expenses of the Army. Its meaning is that all allowances or payments to officers of the Army for mileage for the fiscal year 1905 shall be made solely from the sums appropriated in the act for said year for the allowance or payment of mileage.

In a decision dated February 3, 1897, the Comptroller of the Treasury held, quoting the syllabus, as follows:

"The mileage of officers of the Army traveling on duty connected with the Board of Ordnance and Fortification is payable from the appropriation made for the board as a part of the necessary expenses incident to the performance of its work." (See 3 Comp. Dec., 332.)

The appropriation referred to for the Board of Ordnance and Fortification provided in terms "for the payment of the necessary expenses of the board."

The current appropriation for the board contains the same phraseology, but it should be construed in the light of the aforesaid provision directing that all allowances of mileage shall be made from the sums appropriated in the army appropriation act of April 23, 1904, for such purposes.

Under and since the Comptroller's decision of February 3, 1897, the mileage of officers of the Army traveling on duty connected with the Board of Ordnance and Fortification has been paid from the appropriations for

said board, but prior thereto it was paid from the general mileage appropriation.

Section 1273 of the Revised Statutes, referring to the payment of mileage to army officers, directs that "no payment shall be made to any officer except by a paymaster of the Army," and it is presumed that the aforesaid provision was passed by Congress with a view to the payment of all mileage for army officers by officers of the Pay Department of the Army from the appropriation specifically made for the payment of such mileage, notwithstanding the established practice.

"All allowances for mileage" for army officers for the fiscal year 1905 having been provided for in the appropriation "Mileage to Officers and Contract Surgeons, 1905," whether said officers be on duty connected with the Board of Ordnance and Fortification or not, mileage is no longer a necessary expense against the appropriation "Board of Ordnance and Fortification."

In view of the foregoing facts and considerations, I am of the opinion that for the fiscal year 1905 the mileage of officers of the Army traveling on duty connected with the Board of Ordnance and Fortification is payable from the appropriation "Mileage to Officers and Contract Surgeons, 1905," and not from the appropriation "Board of Ordnance and Fortification."

The mileage law in force at the time the travel in question was made was the act of March 2, 1901 (31 Stat., 901), which, so far as material, provides:

For mileage to officers and contract surgeons, when authorized by law, five hundred thousand dollars: *Provided*, That hereafter officers so traveling shall be paid seven cents per mile and no more, distance to be computed and mileage to be paid over the shortest usually-traveled routes, with deduction as hereinafter provided: * * *

It is a fundamental rule in the construction of statutes that in the ascertainment of the intent of the legislative body full expression must be given to the language used. If the language employed is unambiguous, the statute must be interpreted according to the natural import of the words used.

On this point the Supreme Court of the United States in the case of *Dewey* (178 U. S., 510), said:

Our province is to declare what the law is, and not under guise of interpretation or under the influence of what may be surmised to be the policy of the Government so depart from sound rules of construction as in effect to adjudge that to be law which Congress has not enacted as such. Here the language used by Congress is unambiguous. It is so clear that the mind at once recognizes the intent of Congress. Interpreted according to the natural import of the words used, the statute involves no absurdity or contradiction, and there is consequently no room for construction. Our duty is to give effect to the will of Congress, as thus plainly expressed. (*United States v. Fisher*, 2 Cranch. 358; *Lake County v. Rollins*, 130 U. S., 662, 670.)

The Court of Claims in the same case (35 Ct. Cls., 197), said:

It is not a question of what might be called unwritten law, but a question of purely statutory construction, and the intent of the legislature must be deduced from the terms employed in the phraseology and the words of the statute. Courts have no power other than the interpretation of the law as in their judgment it exists. Questions of policy addressing themselves to the other branches of the Government are not incident to the judiciary. They have no policy and no authority save and except the declaration and application of the law as in their judgment it may seem to exist. Congress have passed the statute and defined its purpose in the express averment of words. Courts are constrained to follow the import of those words in the determination of the rights of parties and of the Government. In doubtful cases arising from ambiguous language courts will inquire into surrounding circumstances, having in view the history of the times and the condition intended to be affected by the law in coming

to a conclusion as to its proper construction; but unambiguous words importing in and of themselves the purpose and will of the legislature must be permitted to perform their legitimate functions in the development and ascertainment of that will.

The language employed in the act of April 23, 1904, *supra*, is broad and comprehensive, the words used are not of doubtful meaning, and under the well settled rule of construction, as quoted above, the will of Congress, as plainly expressed in the statute, must be carried into effect.

The decision of the Auditor is approved, and will apply on all travel on purely Army business and all other business of a military character except in cases, if any there be, where some other appropriation specifically provides that the traveling expenses shall be paid therefrom.

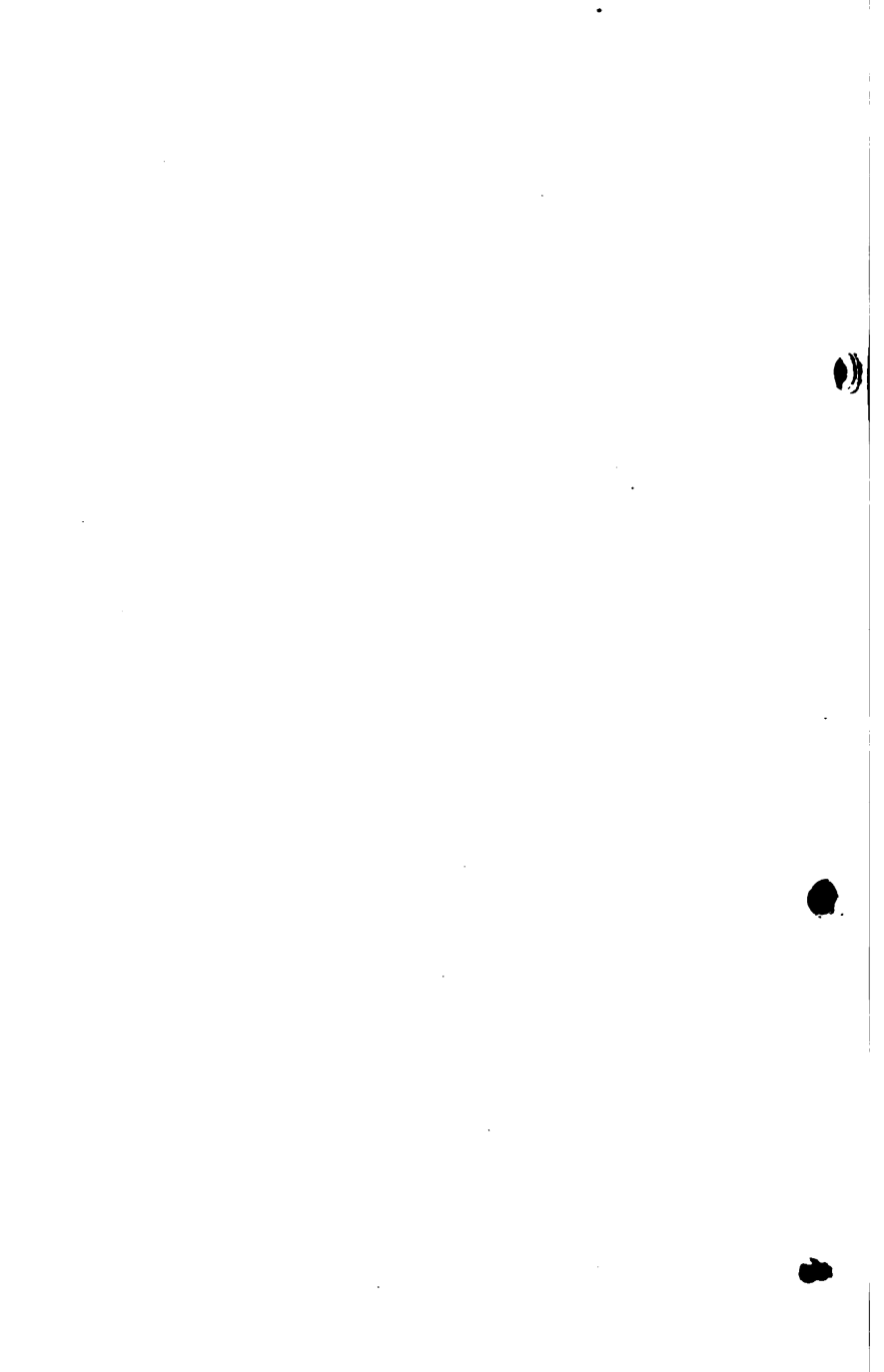
L. P. MITCHELL,
Acting Comptroller.

BY ORDER OF THE ACTING SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.



CIRCULAR, }
No. 48. }

WAR DEPARTMENT,
WASHINGTON, *October 31, 1904.*

The following instructions are published for the information and guidance of all concerned:

1. All officers who have certificates of proficiency in all the subjects of the course of instruction conducted under the provisions of General Orders, No. 102, September 22, 1902, Headquarters of the Army, Adjutant General's Office, will take the first year's post graduate course required by General Orders, No. 115, June 27, 1904, War Department.

In addition thereto, such officers will be required to recite in the subject of "Field Service Regulations," as prescribed in the first year's course of garrison schools for officers.

All infantry officers below the grade of major will be required to recite in the new "Infantry Drill Regulations," as prescribed by paragraph 27, General Orders, No. 115, June 27, 1904, War Department.

Recitations in military hygiene, required in the third year's course in garrison schools for officers, will be taken up when the subject is reached, and if the officer is pursuing a post graduate course at the time shall be in addition to such course.

Artillery officers holding certificates of proficiency from the officers' post school, conducted in accordance with General Orders, No. 102, September 22, 1902, Headquarters of the Army, Adjutant General's Office, will be excused from the preliminary examination in algebra, logarithms, geometry, and trigonometry prescribed in paragraph 16, General Orders, No. 115, June 27, 1904, War Department.

The examinations prescribed under paragraph 16, General Orders, No. 115, June 27, 1904, War Department, will be conducted under the specific instructions of post commanders.

2. Officers of the Signal Corps will not be required to attend the garrison schools for officers prescribed in General Orders, No. 115, June 27, 1904, War Department, and enlisted men of the Signal Corps will not be required to attend the post schools for enlisted men.

When detachments of the Signal Corps of less than 30 men are on duty at stations garrisoned by other troops, the officers and men of the former will not be required to perform guard

duty, and will be required to perform only such police as may be necessary around their own barracks, storehouses, and other buildings.

When detachments of the Signal Corps of more than 30 privates form part of a garrison their officers and men may, in the discretion of the commanding officer, be required to perform the necessary guard duty to protect the storehouses, sheds, stables, parks, and corrals pertaining to the Signal Corps, provided such property can not be properly guarded by including observation thereof in the duties of sentinel posts or patrols already established. The necessary police duty around such buildings and property will be assigned to enlisted men of the Signal Corps, but they will be exempt from the ordinary police duties of the garrison.

BY ORDER OF THE ACTING SECRETARY OF WAR:

ADNA R. CHAFFEE,

Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,

The Military Secretary.

CIRCULAR, }
No. 49. }

WAR DEPARTMENT,
WASHINGTON, November 1, 1904.

A private in the Army was tried by general court-martial, found guilty of desertion, and sentenced to dishonorable discharge and confinement at hard labor for eighteen months. He was dishonorably discharged June 18, 1904, and is now a general prisoner in confinement undergoing his sentence. October 6, 1904, the President remitted six months of the sentence.

The effect of the remission of sentence in this case and in similar cases is set forth in the following opinion of the Judge Advocate General of the Army, and the decision of the Acting Secretary of War thereon, which are published for the information and guidance of all concerned:

WAR DEPARTMENT,
JUDGE ADVOCATE GENERAL'S OFFICE,
Washington, D. C., October 25, 1904.

Respectfully returned to The Military Secretary.

It is the opinion of this office that the good-time allowance of ten days to general prisoners, as modified by the requirements of paragraph 949, Army Regulations of 1904, accrues, as to sentences of more than one year, at the end of each completed period of twenty days during which the conduct of the prisoner has been good; the good time so accruing passes to the credit of such prisoner at the end of each twenty day period, and is not subject to diminution save as a punishment for violation of the prison rules. The same rule applies to the good-time allowance of five days for each twenty-five days of good behavior in the execution of sentences of confinement at hard labor of from three months to one year in duration.

In either case should a substantial modification be made in the sentence, as the result of a general court-martial trial for an offense committed by the prisoner, or as the result of an exercise of clemency, the allowance of good time should change with the status of the prisoner, and should be increased if his term of imprisonment is added to, and should be decreased if his term be diminished.

In the case presented, Prisoner * * * original sentence entitled him to the ten-day allowance for each twenty days of good behavior, and these periods passed to his credit as they accrued. When his sentence was diminished six months he passed to a new status in respect to good-behavior allowance and, from the date of the reduction in his sentence, became entitled to five days diminution for each twenty-five days of good conduct as a prisoner.

GEO. B. DAVIS,
Judge Advocate General.

WAR DEPARTMENT,
WASHINGTON, October 28, 1904.

The views of the Judge Advocate General of the Army set forth in the foregoing indorsement are concurred in, and will govern the practice of the War Department in future.

ROBERT SHAW OLIVER,
Acting Secretary of War.

BY ORDER OF THE ACTING SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.

CIRCULAR, }
No. 50. }

WAR DEPARTMENT,
WASHINGTON, November 10, 1904.

The following information is published for the guidance of commanding officers of coast artillery posts, and of instructors and student officers in the garrison schools at such posts established by General Orders, No. 115, June 27, 1904, War Department, and in amplification of that contained in Circular, No. 42, September 16, 1904, War Department.

The text books to be used in the subject "Artillery," first year's course, and the sources from which the books are to be obtained are as follows:

(a) *Guns and carriages*—

Ordnance Department pamphlets as follows:

Instructions for mounting, using, and caring for the 12-inch disappearing carriage, L. F. Model, 1901.

Instructions for mounting, using, and caring for the 6-inch disappearing carriage, L. F. Model, 1903.

Instructions for mounting, using, and caring for the 6-inch barbette, model, 1900.

Instructions for mounting, using, and caring for the 12-inch mortar, steel, model, 1896.

Description of breech mechanism, seacoast cannon, Ordnance Department.

[From Chief of Ordnance.]

(b) *Sights and quadrants*—

Handbook of sights for cannon, Part II.

Telescopic sights, description of sights, pages 31-38; instructions for using sights, pages 41-44; care and preservation of telescopic sights, pages 45-46; the four adjustments, pages 52-53; directions for testing the adjustment of sight bracket, etc., page 57.

Gunner's quadrant and use, pages 12-15.

[From Chief of Ordnance.]

(c) *Projectiles*—

Paints for projectiles, Ordnance Department.

Distinctive colors for projectiles, Ordnance Department.

[From Chief of Ordnance.]

(d) *Explosives*—

Artillery Notes, Nos. 1 and 16.

[Distributed to all artillery officers for official use. Extra

copies can be obtained in limited number from the commandant, Artillery School, Fort Monroe, Virginia.]

Directions for drying and blending powders at forts,
Ordnance Department.

Crusher gauges for cannon, Ordnance Department.

Fuzes for field, siege, and seacoast powder-charged shell
and shrapnel, Ordnance Department.

[From Chief of Ordnance.]

Stability tests for nitrocellulose and nitrocellulose powders, Journal U. S. Artillery, September-October, 1903.

[From editor Artillery Journal, Fort Monroe, Virginia; price, fifty cents.]

(e) *Position finding*—

Artillery Notes, Nos. 3, 5, and 8.

[Distributed to all artillery officers for official use. Extra copies can be obtained in limited number from the commandant, Artillery School, Fort Monroe, Virginia.]

Azimuth instrument, model 1900, Ordnance Department.

Description of the Swasey depression position finder, type A, Ordnance Department.

Description and use of the Pratt ballistic board, Ordnance Department.

[From Chief of Ordnance.]

BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,

Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,

The Military Secretary.

"CIRCULAR," }
No. 51. }

WAR DEPARTMENT,
WASHINGTON, November 26, 1904.

I.—The attention of the Army is called to a publication by the Department of Agriculture, entitled "*Special Report on Diseases of the Horse*" (House Document 487—57th Congress, 2d Session).

A sufficient number of copies of this publication has been procured to supply for official use one copy to each troop of cavalry and battery of field artillery, to each military post and station, to each veterinarian, and to officers of the Quartermaster's Department in direct charge of public animals. Individual officers desiring copies can procure them bound in cloth, at 65 cents per copy, upon application to the Superintendent of Public Documents, Government Printing Office, Washington, District of Columbia.

II.—Quartermasters will take up and account for on their property returns all wall lockers at their respective posts or stations.

The removal of wall lockers from the barrack for which they were supplied is prohibited.

III.—The following decision of the Comptroller of the Treasury is published for the information of all concerned:

Officers serving abroad as military attachés or witnessing the movements of foreign armies and to whom funds have been advanced for disbursement on behalf of the Government and not as payment to them as salary due, should charge themselves in their accounts with the full amount of money advanced and take credit for any loss in effecting exchange, or, if a profit accrue, charge themselves in their accounts with the profit resulting from such exchange, stating all particulars as to rate of exchange, etc., at the time it was effected. The profit or loss should be credited or charged, as the case may be, to the proper appropriation for contingent expenses.

TREASURY DEPARTMENT,
WASHINGTON, November 16, 1904.

The Honorable the SECRETARY OF WAR.

SIR: By your reference of the 9th instant I have received from the Paymaster General of the Army a letter dated November 4, 1904, in which my

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decision is requested as to whether officers serving abroad as military attachés or witnessing the movements of foreign armies and who have been appointed acting paymasters and supplied with United States funds, or who draw on the United States Treasury for funds to be disbursed by them, may charge in their official accounts the cost of exchange.

If the funds of the Government be advanced to a disbursing officer as you suggest, to be disbursed by him on behalf of the Government, and are not a payment to him of salary due, I am of the opinion that the loss by exchange, if any, should be borne by the Government and not by the officer. This view is in accord with the decision of Comptroller Bowler found in 4 MS. Comptroller's Decisions, p. 312. The loss or profit resulting from exchange should be credited or charged in the officer's account, as the case may be, to the proper appropriation for "contingent expenses," the question of which appropriation should be used depending upon the nature of the work assigned to and being performed by the officers.

The disbursing officers should charge themselves in their accounts with the full amount of money advanced and take credit for any loss in effecting an exchange of funds, or, if a profit accrue, charge themselves in their accounts with the profit resulting from said exchange; and should also show the date of effecting the exchange, the person, firm, or bank through which the transaction occurred, and should attach thereto and file therewith the certificate of the United States consul or diplomatic representative at the place of exchange if practicable, or, if impracticable, the certificate of some reputable banking house at that point, as to the rate of exchange prevailing on the day in question, and should also file with their account the receipt of the person to whom the loss by exchange, if any, was paid.

I do not think that the appropriation for "pay of the Army" would be available to meet any loss by exchange.

Respectfully,

R. J. TRACEWELL,
Comptroller.

BY ORDER OF THE ACTING SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.

CIRCULAR, }
No. 52. }

WAR DEPARTMENT,
WASHINGTON, *December 3, 1904.*

Under paragraphs 28, 29, and 30, Army Regulations, any enlisted man who on September 1, 1905, will have completed two years' service as an enlisted man and who is otherwise eligible to take the examination for promotion to the grade of 2d lieutenant will be authorized by his department commander to take the preliminary examination on February 1, 1905. Only such men, however, as have completed two years' service on May 1, 1905, will be ordered for the competitive examination on May 1. A special competitive examination will be held on September 1, 1905, for those candidates who, having successfully passed the preliminary examination on February 1, will not complete their two years' service till after May 1, 1905.

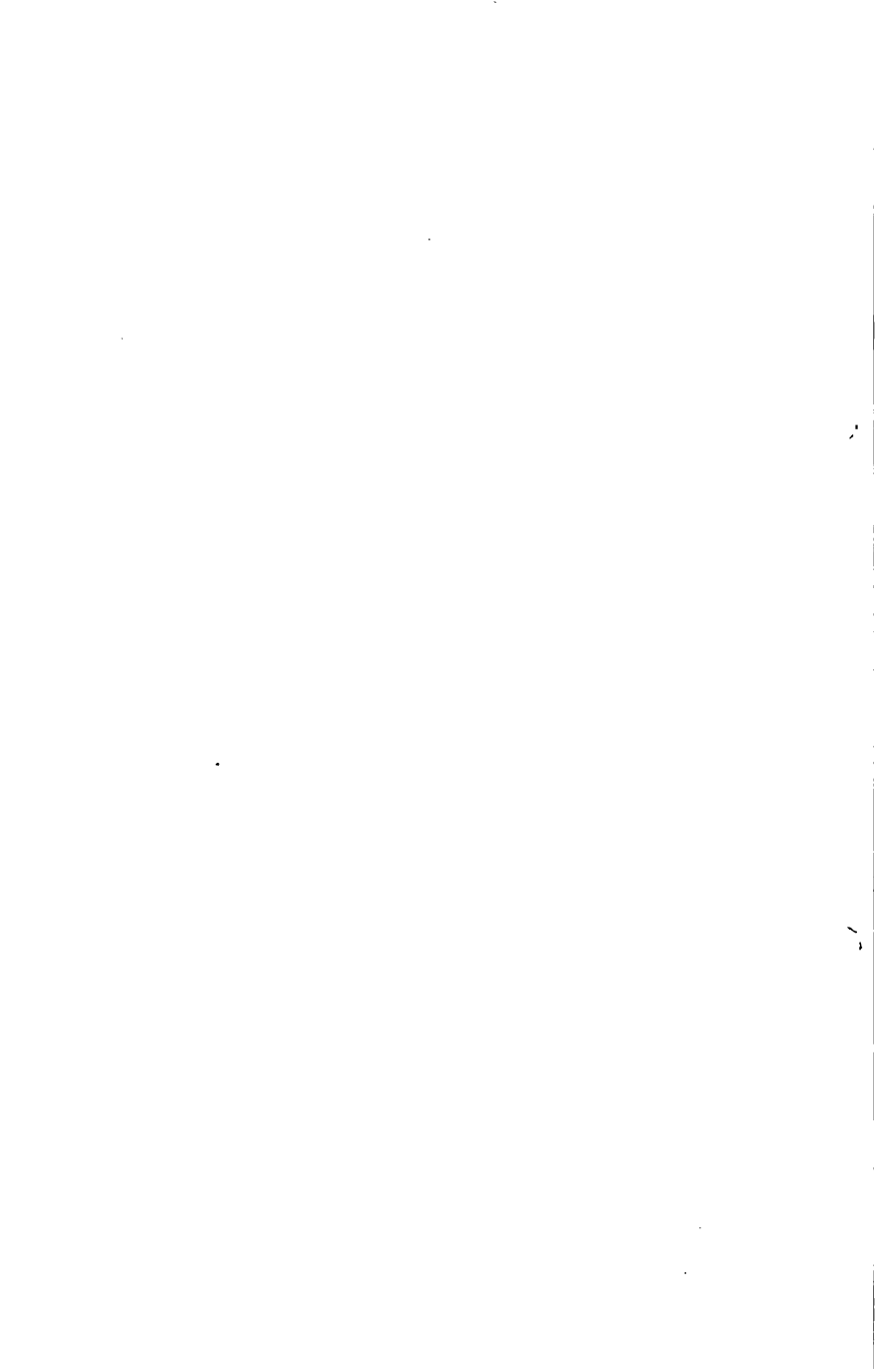
BY ORDER OF THE ACTING SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.

Rec'd



CIRCULAR, }
No. 53. }

WAR DEPARTMENT,
WASHINGTON, December 6, 1904.

The following opinion of the Judge Advocate General of the Army and the decision of the Acting Secretary of War thereon are published for the information and guidance of all concerned:

WAR DEPARTMENT,
OFFICE OF THE JUDGE ADVOCATE GENERAL,
Washington, November 17, 1904.

TO THE MILITARY SECRETARY.

SIR: I have the honor to submit an expression of opinion upon the question of *nunc pro tunc* action which is raised in the inclosed papers.

Paragraph 170, of the Army Regulations, provides that—

Noncommissioned staff officers and enlisted men of the several staff departments will not be detailed on extra duty without authority from the War Department. They are not entitled to extra-duty pay for services rendered in their respective departments.

The paragraph above cited is based upon the principle that an enlisted man of the staff is not entitled to extra-duty pay for performing duty in the department to which he belongs. This for the reason that all such enlisted men receive as a rule higher pay than enlisted men in the line in consideration of the expert services which they render to the United States. If, however, an enlisted man—in the Signal Corps, for instance—is employed on extra duty in the Quartermaster's Department, he may become entitled to extra-duty pay, and the question under the regulation above cited is one to be determined by the Secretary of War.

In the cases in reference the matter of employment seems to have been determined by some other authority than the Secretary of War, and in such a way as to deprive him of all initiative in the matter, and unless he is willing to deny pay to enlisted men which they have previously earned, he must accept the details as accomplished facts, and approve them without having had an opportunity in any case to pass upon the question of necessity or propriety which is required of him in the execution of the regulation. In one case the application is dated October 5, 1904, and asks the approval of details made, without the authority called for in paragraph 170, as far back as June 22, 1904. In the other case the application bears date of October 10 of a detail evidently made on September 20.

The terms of the regulation are explicit and provide that such details shall not be made without the authority of the War Department. The regulation does not say that they may be made, *subject to the approval* of the Secretary of War, or that the detail is subject to *ratification* by him—the language is both explicit and mandatory, and provides that such details *shall not be made* without the authority of the Secretary of War. If the cases in reference represent the habitual execution of the paragraph, it would seem that the regulation is made the subject of constant and invariable exception. Clearly the Secretary of War should have an opportunity to pass on the case before the detail is made, and should not be expected, if he would avoid imposing hardship upon the soldier, to take *nunc pro tunc* action in the case.

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In judicial procedure "a decree *nunc pro tunc*, which is always exceptional, is admissible where a decree which was ordered or intended to be entered was omitted by inadvertence of the court." (*Gray vs. Brignardello*, 1 Wallace, 636; *Mitchell vs. Overman*, 103 U. S., 85.) It has also been held that "Every court has a right to judge its own records and minutes, and if it appear that an order made at a former term was not entered of record, it may at any time direct it to be entered as of the term when made, whether the proceeding be criminal or civil." (*Benedict vs. State*, 44 Ohio St., 684-85, and cases cited.)

It was held by this office in 1900, with the approval of the Secretary of War, that—

This subject has already been discussed in former opinions of this office, and you give an extract from one of them in your present paper. The views heretofore expressed, and confirmed by the War Department, are clearly correct. We can not by an order create a fact to-day and carry it back to some past date and there set it up as a fact occurring on that date, whereas in reality no such fact then occurred. This is indisputable. But we should be careful to distinguish between such an impossibility and a legally retroactive executive order or regulation, as when a thing is done without the approval of the Secretary of War, although such approval be required, and it is subsequently ratified by him. In legislation it is no uncommon thing that an act is passed to ratify something already done, and the same principle applies to executive acts. "A subsequent ratification has a retrospective effect and is equivalent to a prior command." (Broom's Legal Maxims.) Between such action as this and the attempt to manufacture a fact as happening in the past it is important, but not difficult, to distinguish. Keeping this in mind, it would probably be well to issue such an order as is suggested in your fifth question. The language should, however, be modified. Would it not be sufficient to prohibit the issuing of orders affecting the past history of officers and soldiers which shall undertake to introduce into it as a fact happening on a given date something which did not actually occur at the time stated? It might be added, by way of illustration, that orders, in the cases of officers or enlisted men, directing or making appointments, acceptances of resignations, discharges from service, or muster out of service, to date from or to take effect from dates prior to the issuance of the orders therefor are illegal.

In the application of the principle, to cases arising in the military establishment, it would be unlawful to issue a discharge on a subsequent date, *as of a prior date*, or to muster an officer or enlisted man into or out of the service at a date prior to that on which the muster in or out actually took place; or to authorize an enlistment or reenlistment to relate to a date prior to that upon which the enlistment contract was actually entered into.

It has been seen that the case in reference is not one in which the act of a subordinate can be validated by the subsequent ratification of a superior; for the regulation does not provide for the mere approval of the detail, but that it *shall not be made* without the *authority* of the Secretary of War. I am, therefore, of opinion that the details in reference have not been made in conformity to the regulation; and, if the force of law is to be assigned to the requirements of paragraph 170, I must conclude that the details will only become legally operative upon and from the date upon which the authority of the Secretary of War has been obtained in the manner prescribed in the regulation.

Very respectfully,

GEO. B. DAVIS,
Judge Advocate General.

The views set forth by the Judge Advocate General of the Army in the foregoing opinion are concurred in and will govern the practice of the War Department and of the Army in future.

ROBERT SHAW OLIVER,
Acting Secretary of War.

November 30, 1904.

BY ORDER OF THE ACTING SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.

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CIRCULAR, }
No. 54. }

WAR DEPARTMENT,
WASHINGTON, December 15, 1904.

The following decision of the Comptroller of the Treasury is published for the information and guidance of all concerned:

TREASURY DEPARTMENT,
WASHINGTON, December 8, 1904.

Brigadier General A. W. GREELY,
Chief Signal Officer, U. S. Army,
Washington, D. C.

SIR: I am in receipt of your letter of December 6, 1904, replying to the exceptions contained in mine of October 20, respecting a claim of the Monterey Gas and Electric Company for constructing a telephone line per verbal contract, which was settled and allowed by the Auditor for the War Department in his certificate No. 26794, dated June 14, 1904.

You give no exact date when the verbal agreement between Major E. H. Plummer, the constructing quartermaster, and the company was made, nor when the work was performed.

In the absence of Major Plummer, the information could probably have been obtained from the electric company, but I note your quotation from a letter of said company (of date April 8, 1904), that (*inter alia*) "It has been seventeen months since this work was performed * * *", from which I conclude the work was performed on a date to entitle the claim to be charged against the proper appropriation for the fiscal year 1903, if otherwise correct.

I also note the list of materials which you give as having been furnished by the company in the construction.

All this information should have appeared with the voucher.

When a claim has its foundation in a verbal contract, it is of the highest importance that the voucher in payment should fully disclose what is being paid for, so as to prevent the duplication of charges and additional claims.

I have repeatedly directed the attention of different officers of the War Department that section 3744, Revised Statutes, requires that all executory contracts in that Department must be in writing and signed at the end thereof by both contracting parties, and that the Supreme Court holds that contracts attempted to be entered into ignoring these requisites are utterly void as contracts.

If the making of such oral or informal contracts is persisted in, in disregard of the law and the decisions of the courts and of my frequent admonitions, it will necessarily result in disallowances of credits in cases where I am unable to liquidate the proper amounts to be paid, as I am not justified in taking the amount thus informally agreed upon as the amount to be paid.

I am not in a position to settle and pass unliquidated claims. I trust this will prove a sufficient warning for the future. The law, *supra*, must

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be complied with or officers violating must take the risk of having a disallowance made in their future credits.

A copy of this letter will be sent to the Secretary of War for his information, and with the hope that he will by appropriate means see to it that the law in his Department be enforced as regards the execution of executory contracts for supplies or services in the future.

The account is returned to the files of the Auditor, no revision being deemed necessary at this time.

Respectfully,

R. J. TRACEWELL,
Comptroller.

BY ORDER OF THE SECRETARY OF WAR:

ADNA R. CHAFFEE,
Lieutenant General, Chief of Staff.

OFFICIAL:

F. C. AINSWORTH,
The Military Secretary.

Physical Drill With Rifle.

Formulated by

LIEUT. E. L. BUTTS,

U. S. A.

RIFLE DRILL.

Being at order arms, at command *ready*, come to *port arms*.

2. Drop the rifle to horizontal position in front of body, right hand at small of stock, left hand just above lower band, arms extended downward, knuckles front, barrel of rifle up. If using carbine, take similar position.

Being at *ready*, at command *order arms*, come to *port arms* and then to order as prescribed in Drill Regulations.

The following exercises are executed from the position of *ready*.

FIRST SET.

FIRST, EXERCISE.

At command *exercise*, raise the rifle smartly to chest, two inches below chin, elbows close to sides, wrists well bent back.

2. Lunge well out to left oblique, left foot leading, at same time extend rifle forward, barrel to rear.

3. Carry rifle to chest, wrists bent back.

4. Turn to right-about on heels.

5. Extend rifle forward.

6. Carry rifle to chest.

7. Carry left foot to right, and face to original front.

8. Drop rifle to *ready*.

Take exercise four time. In all lunging, the rear foot remains flat on the ground, leg well straightened out.

SECOND, EXERCISE.

At command *exercise*, bend trunk forward, legs remaining straight, and, if possible, touch ground with rifle.

2. Swing rifle well out to front and overhead, arms and legs remaining straight, wrists bent well back, eyes on rifle, back hollowed.

3. Swing rifle down, and bend trunk forward to position as at command *exercise*.

4. Same as 2.

5. Drop rifle to shoulders behind neck, forcing chest well forward, eyes directed to the front.

6. Resume position 2.

7. Drop rifle to chest.

8. Drop rifle to *ready*.

Take exercise four times. The first four movements are executed slowly, the last four rapidly.

THIRD, EXERCISE.

At command *exercise*, carry left foot about fifteen inches to the left, turn body to the left on hipp, rising well upon right toe, left foot flat on ground, and swing rifle to left to horizontal position overhead, back hollowed, wrists well bent back, eyes on rifle.

2. Swing rifle down across body and overhead to right, arms remaining straight, the reverse position of first movement.

Repeat to include sixteenth count.

At command *halt*, come to *ready*.

FOURTH, EXERCISE.

At command *exercise*, lunge directly to the left, left foot being planted about thirty-six inches to the left; at the same

time swing rifle overhead, arms remaining extended, wrists bent well back, back hollowed, eyes on rifle.

2. Resume *ready*.

3. Lunge directly to the front, left foot leading, and take position above described.

4. Resume *ready*.

5. Lunge directly to the right, right foot leading, and take position as above.

6. Resume *ready*.

7. Lunge directly to the front, right foot leading, and take position as above.

8. Resume *ready*.

Take exercise four times. In lunging, the leading foot should not be planted so as to jar. When the exercise is understood so as to be executed in cadence, the foot should lightly strike the ground so as to enable a quick return to the *ready*.

FIFTH, EXERCISE.

Same as first exercise, substituting words "right" for "left" and "left" for "right."

Take exercise four times.

In executing the exercises one after the other they commence at the *ready* except the fourth. In this the lunge to the left is made directly from the overhead position on the right, of the third exercise—i. e., by swinging the rifle down across the body and overhead on left side, and lunging out with left foot.

SECOND SET.

FIRST, EXERCISE.

Same as first exercise, first set.

SECOND, EXERCISE.

At command *exercise* carry left foot about twenty-four inches to the front and pointing to the front, both feet flat on ground; at same time bend trunk forward, and bring rifle down to left toe.

2. Replace left foot by right, swing rifle overhead, arms remaining straight, and take position 2 in second exercise, first set.

3. Advance right foot, bend trunk forward, swing rifle down to right toe, arms remaining straight.

4. Replace right foot by the left, and take position 2.

5. Drop rifle to shoulders behind neck.

6. Extend upward.

7. Drop to chest.

8. Come to *ready*.

Take exercise four times.

THIRD, EXERCISE.

At command *exercise*, carry left foot about fifteen inches to the rear, turn body to left rear on hips, rising well upon right toe, left foot flat on ground, and swing rifle to horizontal position overhead, back hollowed, wrists bent well back, eyes on rifle.

2. Swing rifle down across body to the front to horizontal position overhead, at same time carry left foot about fifteen inches in front of right, and now, facing to the front and rising well upon right toe, take position similar to that of first movement.

3. Swing rifle down across body and overhead to rear, rising well on left toe.

4. Swing rifle down and overhead and carry right foot about fifteen inches to front, rising well on left toe.

Repeat the above four movements to include sixteenth count. At command *halt* come to *ready*.

It will be seen that this exercise is similar to the third exercise, first set. The body is turned to rear and front, instead of the left and right, and a step is taken to the front each time the rifle is swung to the front.

In executing these exercises one after the other, the third exercise ends at the sixteenth count, and the fourth exercise commences by making the lunge from this position.

FOURTH, EXERCISE.

At command *exercise*, lunge well out to left and extend rifle to the left and height of chin in a horizontal position, barrel up, left arm extended, eyes on muzzle.

2. Resume *ready*.

3. Lunge to right in similar manner, right arm extended, eyes on butt.

4. Repeat the above to include sixteenth count.

17. Lunge to left as before, except carrying rifle behind head.

18. Resume *ready*.

19. Lunge to right, carrying rifle behind head.

20. Resume *ready*.

Repeat to include thirty-second count.

Note.

FIFTH, EXERCISE.

Same as fifth exercise, first set.

CIRCULAR, }
No. 1. }

WAR DEPARTMENT,
WASHINGTON, August 17, 1903.

The following decision of the Assistant Comptroller of the Treasury is published for the information of all concerned:

Colonel *Cyrus S. Roberts*, 2d Infantry, was stationed at Fort D. A. Russell, Wyoming, and was granted leave of absence for thirty days. During said leave he went to San Antonio, Texas. On June 23, 1903, Special Orders, No. 146, Headquarters of the Army, was issued directing him "to proceed to his home, where he is authorized to await retirement from active service. The travel enjoined is necessary for the public service."

Colonel *Roberts* received the order at Fort Sam Houston, Texas, and proceeded to his home at Lakeville, Connecticut, before the expiration of said leave of absence. Held by the Assistant Comptroller of the Treasury—

In the present case Colonel *Roberts* before the expiration of his leave of absence was ordered to proceed to his home, there to await retirement from active duty. He obeyed the order and performed the journey, and it is stated in the order that, "The travel enjoined is necessary for the public service."

The home of the officer, to which he was ordered, is not a military station within the meaning of paragraph 1483, A. R., 1901, to which reference is made, and I am of opinion said regulation has no application to this case. See *United States v. Phisterer* (94 U. S. 219).

Upon the facts stated I am of opinion, and so decide, that for said journey Colonel *Roberts* is entitled to receive mileage from Fort Sam Houston, Texas, the place where he received said order, to his home at Lakeville, Connecticut, and if the account is otherwise correct you are authorized to direct that he be so paid.

BY ORDER OF THE SECRETARY OF WAR:

S. B. M. YOUNG,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

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CIRCULAR, }
No. 2. }

WAR DEPARTMENT,
WASHINGTON, August 20, 1903.

With reference to General Orders, No. 16, January 20, 1899; and to Circular, No. 48, October 5, 1899; and to paragraph II, Circular, No. 52, December 21, 1900, Headquarters of the Army, Adjutant General's Office, the following letter of the Comptroller of the Treasury relating to the settlement of accounts of bonded disbursing officers and the instructions referred to in next to the last paragraph of said letter are published for the information and guidance of all concerned:

TREASURY DEPARTMENT,
OFFICE OF COMPTROLLER OF THE TREASURY,
Washington, July 21, 1903.

The Honorable the SECRETARY OF WAR.

SIR: I have the honor to acknowledge the receipt of your communication of the 17th instant as follows:

Referring to paragraph (1) of the Circular of the Comptroller of the Treasury dated December 1, 1898, which provides in part that: "The accounts of a bonded disbursing officer must be kept separately under each bond except when the second bond is cumulative, in which case the accounts should be stated under both bonds. When a new bond is given the officer should close his accounts under the former bond and deposit any unexpended balance. * * *"

It has been suggested by the Inspector General of the Army that if the provisions of the Circular above quoted could be amended so as to add after the word "deposit" in line 5 of paragraph (1), the words: "to the credit of the Treasurer of the United States, or transfer to a bonded officer of the same department," the purpose desired by the Comptroller would be as fully accomplished as by restricting all such transactions to a deposit to the credit of the Treasurer, and at the same time the delay in placing an officer again in funds incident to his rebonding would be reduced to a minimum.

In this suggestion the Quartermaster General of the Army and other of the bureau chiefs have concurred, and the matter is accordingly submitted to your consideration, together with official reports and other papers on the subject, with request for an expression of opinion as to whether such a modification of your regulations would be desirable.

I see no objection to an amendment to paragraph 1 of the Circular of December 1, 1898, which will permit the transfer of unexpended balances to another officer, but in lieu of the amendment proposed in your communication, the following is suggested, and is approved by this office, viz:

To the credit of the Treasurer of the United States, or transfer to a bonded officer of the same department who is authorized by law to handle the same class of funds,

so that paragraph marked 1 of the Circular in question, as herein amended' will read as follows:

(1). The accounts of a bonded disbursing officer must be kept separately under each bond except when the second bond is cumulative, in which

case the accounts should be stated under both bonds. When a new bond is given the officer should close his accounts under the former bond and deposit to the credit of the Treasurer of the United States, or transfer to a bonded officer of the same department who is authorized by law to handle the same class of funds, any unexpended balance before an advance is made under the new bond, in order that the liability of the sureties on the respective bonds may be definitely fixed.

In all cases of transfer it should be an *actual transfer of funds*, and not a mere paper transaction.

Your proposed instructions, a copy of which accompanies your communication, will remove any doubt concerning the *bona fides* on the part of officers in the transaction.

All the papers submitted by you are returned herewith.

Respectfully,

R. J. TRACEWELL,
Comptroller.

Approved:

L. M. SHAW,
Secretary of the Treasury.

In accordance with the foregoing letter of the Comptroller when unexpended balances are deposited to the credit of the Treasurer of the United States they should be so deposited in the depository in which the officer has such balances, and cash on hand will be deposited in the nearest designated depository for public funds.

When the unexpended balances are transferred to another officer of the same department such transfer must in all cases be effected by an actual transfer of funds, whether by cash or by transfer check upon the proper depository. In the latter case the check must be immediately transmitted by the payee for transfer to his credit. If the officer after approval of his new bond is again placed in funds by the officer to whom his former balance was transferred, care will be taken that the amount so remitted will vary in amount from that received.

BY ORDER OF THE SECRETARY OF WAR:

S. B. M. YOUNG,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

CIRCULAR, }
No. 8. }

WAR DEPARTMENT,
WASHINGTON, August 27, 1903.

The following decision of the Comptroller of the Treasury is published for the information and guidance of all concerned:

TREASURY DEPARTMENT.

Washington, August 20, 1903.

The Honorable the SECRETARY OF WAR.

SIR: By the reference of the Adjutant General, U. S. Army, dated the 8th instant, my decision is asked as to what period the organized militia of any State or Territory or of the District of Columbia is entitled to pay, subsistence, and transportation, under sections 14 and 15 of the act of January 21, 1903, entitled "An Act to promote the efficiency of the militia and for other purposes." (32 Stat., 775.)

Section 1661 of the Revised Statutes as amended provides:

That the sum of one million dollars is hereby annually appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the purpose of providing arms, ordnance stores, quartermaster stores, and camp equipage for issue to the militia.

The above act of January 21, 1903, provides:

EC. 14. That whenever it shall appear * * * that the organized militia of a State or Territory or of the District of Columbia is sufficiently armed, uniformed, and equipped for active duty in the field, the Secretary of War is authorized, on the requisition of the governor of such State or Territory, to pay to the quartermaster general thereof, or to such other officer of the militia of said State as the said governor may designate and appoint for the purpose, so much of its allotment out of the said annual appropriation under section sixteen hundred and sixty-one of the Revised Statutes as amended as shall be necessary for the payment, subsistence, and transportation of such portion of said organized militia as shall engage in actual field or camp service for instruction, and the officers and enlisted men of such militia while so engaged shall be entitled to the same pay, subsistence, and transportation or travel allowances as officers and enlisted men of corresponding grades of the Regular Army are or may hereafter be entitled by law, and the officer so designated and appointed shall be regarded as a disbursing officer of the United States. * * *

SEC. 15. That the Secretary of War is hereby authorized to provide for participation by any part of the organized militia of any State or Territory on the request of the governor thereof in the encampment, maneuvers, and field instruction of any part of the Regular Army at or near any military post or camp or lake or seacoast defenses of the United States. In such case the organized militia so participating shall receive the same pay, subsistence, and transportation as is provided by law for the officers and men of the Regular Army, to be paid out of the appropriation for the pay, subsistence, and transportation of the Army: * * *

Under the third indorsement, dated August 4, transmitted with the papers in this case, the Judge Advocate General says:

As to the fourth inquiry it will be observed that both sections 14 and 15 authorize the organized militia under certain circumstances to receive "the same pay, subsistence and transportation as officers and enlisted men of corresponding grades of the Regular Army are or may hereafter be entitled by law" (sec. 14), or to "receive the same pay, subsistence and transportation as is provided by law for officers and enlisted men of the Regular Army." (Sec. 15.)

I think there can be no doubt that, in respect to subsistence and transportation the commanders of organized militia are entitled to be moved

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from their several places of rendezvous to the place where they are to "engage in actual field or camp service for instruction" and that they would also be entitled to travel rations for the journey, and that they would be similarly entitled to subsistence and transportation under section 15. Section 14 provides for engaging "in actual field or camp service for instruction" and section 15 provides for participation in the "encampment, maneuvers and field instruction" of any part of the Regular Army, etc. I fail to see why, if they are entitled to subsistence and transportation during the journeys to and from the place where the instruction is to take place, they are not equally entitled to pay. The participation begins when the movement begins and ends when they reach the place of rendezvous on their return.

The "participation" which is contemplated in the statute begins as to one incident when it begins as to all other incidents: that is, it begins as to pay when it begins as to subsistence and transportation. An organization of the Regular Army stationed at a post somewhat distant from the place of maneuver would be entitled to transportation and travel rations while going to and returning from such place of maneuver and would be entitled to pay during the same period; and it would seem to have been the intent of Congress that the organized militia should be placed on the same footing as the Regular Army in respect to all the incidents of pay, subsistence and transportation above mentioned. I am, therefore, of opinion that the period during which detachments of the organized militia are entitled to pay under sections 14 and 15 of the act of January 21, 1903, will include the time consumed in the participation, in which should be included the time spent in the journey to and from the place of maneuver.

I concur in the above opinion of the Judge Advocate General, and decide that "such portion of said organized militia as shall engage in actual field or camp service for instruction," as provided in section 14, and "the organized militia of any State or Territory," as shall participate "in any encampment, maneuvers, and field instruction of any part of the Regular Army, at or near any post or camp or lake or seacoast defenses of the United States," as provided in section 15, are entitled under each of said sections to pay, subsistence and transportation allowances for the entire period from the time when such organized militia shall start from their home rendezvous to the time of their return to their home rendezvous.

The papers submitted are herewith returned.

Respectfully,

L. P. MITCHELL,
Assistant Comptroller.

BY ORDER OF THE ACTING SECRETARY OF WAR:

S. B. M. YOUNG,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

CIRCULAR, }
No. 4. }

WAR DEPARTMENT,
WASHINGTON, September 3, 1903.

Referring to so much of the act of Congress approved March 2, 1903, entitled "An act making appropriation for the support of the Army for the fiscal year ending June 30, 1904," as makes an appropriation to furnish the organized militia of the several States and Territories and the District of Columbia with the same armament and equipment as now prescribed for corresponding branches of the line or staff in the Regular Army, etc., the attention of all concerned is invited to the following considerations in preparing requisitions for *medical equipment*:

As the purpose of this act is to secure uniformity of equipment, it is of the utmost importance that the supply table of the Medical Department, U. S. Army, as given in the Medical Manual, 1902, should be exactly followed. If a sufficient amount of the appropriation accredited to the State is not allotted to the Medical Department to permit of the purchasing of a complete medical equipment, it is suggested that regimental hospital outfits be first asked for, each outfit being complete in itself. In succeeding years, after all regiments have the appropriate regimental equipment, equipments for field hospitals and ambulance companies may be obtained. Parts of regimental or field hospital outfits should not be asked for, except detached service chests (paragraph 305) and the articles for the personal equipment of medical officers and men of the Hospital Corps. The organization for the medical service of a regiment, a battery, battalion or squadron, an ambulance company and a field hospital is given in paragraph 60, Medical Manual, and is as follows:

1. FOR BATTERY OF ARTILLERY, DETACHMENT OF INFANTRY,
OR SQUADRON OF CAVALRY—

Personnel: 1 medical officer, 2 privates Hospital Corps, one being an orderly, the other an ambulance driver. The personal and medical equipment would be—

One medical and surgical chest for detached service (paragraph 305).....	\$87.10
One case, field operating, small (paragraph 306), for medical officer.....	22.75
One pouch, orderly (paragraph 273).....	22.58
One pouch, Hospital Corps (paragraph 272)	6.08

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2. FOR A REGIMENT—

Personnel: 3 medical officers, 3 noncommissioned officers, 9 privates.

Equipment for personnel:

Three cases, operating, small, carried by medical officers	68.25
Three cases, emergency (paragraph 249), carried by noncommissioned officers	36.00
Three pouches, orderly (paragraph 273) one for each medical officer's orderly.....	67.59
Six pouches, Hospital Corps.....	36.18
Regimental hospital outfit as enumerated in paragraphs 319-320.	

Total cost regimental hospital, including personal equipment above mentioned..... 1,233.08

For each brigade will be organized an ambulance company and a field hospital.

3. FOR AN AMBULANCE COMPANY—

Personnel: 3 medical officers, 1 detailed line officer as quartermaster, 13 noncommissioned officers, 48 privates.

Equipment for personnel:

Three cases, field operating, small.....	\$68.25
Thirteen emergency cases.....	156.00
Three orderly pouches	67.59
Forty-five Hospital Corps pouches.....	271.35
Equipment for ambulance company at dressing station, as enumerated in paragraph 328.....	608.56

4. FOR A FIELD HOSPITAL—

Personnel: 3 medical officers, 1 detailed line officer as quartermaster (paragraph 55a), 4 noncommissioned officers, 35 privates.

Equipment for personnel:

One case, operating, field, small, for each medical officer.

One emergency case for each noncommissioned officer.

One orderly pouch for each orderly.

Thirty-one Hospital Corps pouches.

The equipment for a field hospital, with reserve supply of medicine for three months, is enumerated in paragraphs 289, 290, 291, 293, 295, 302, 303, and costs..... \$7,146.27

The equipment furnished by the Quartermaster's Department is enumerated in paragraph 316, and costs, exclusive of horses and wagons..... 1,252.67

Total cost of field hospital complete. 8,398.94

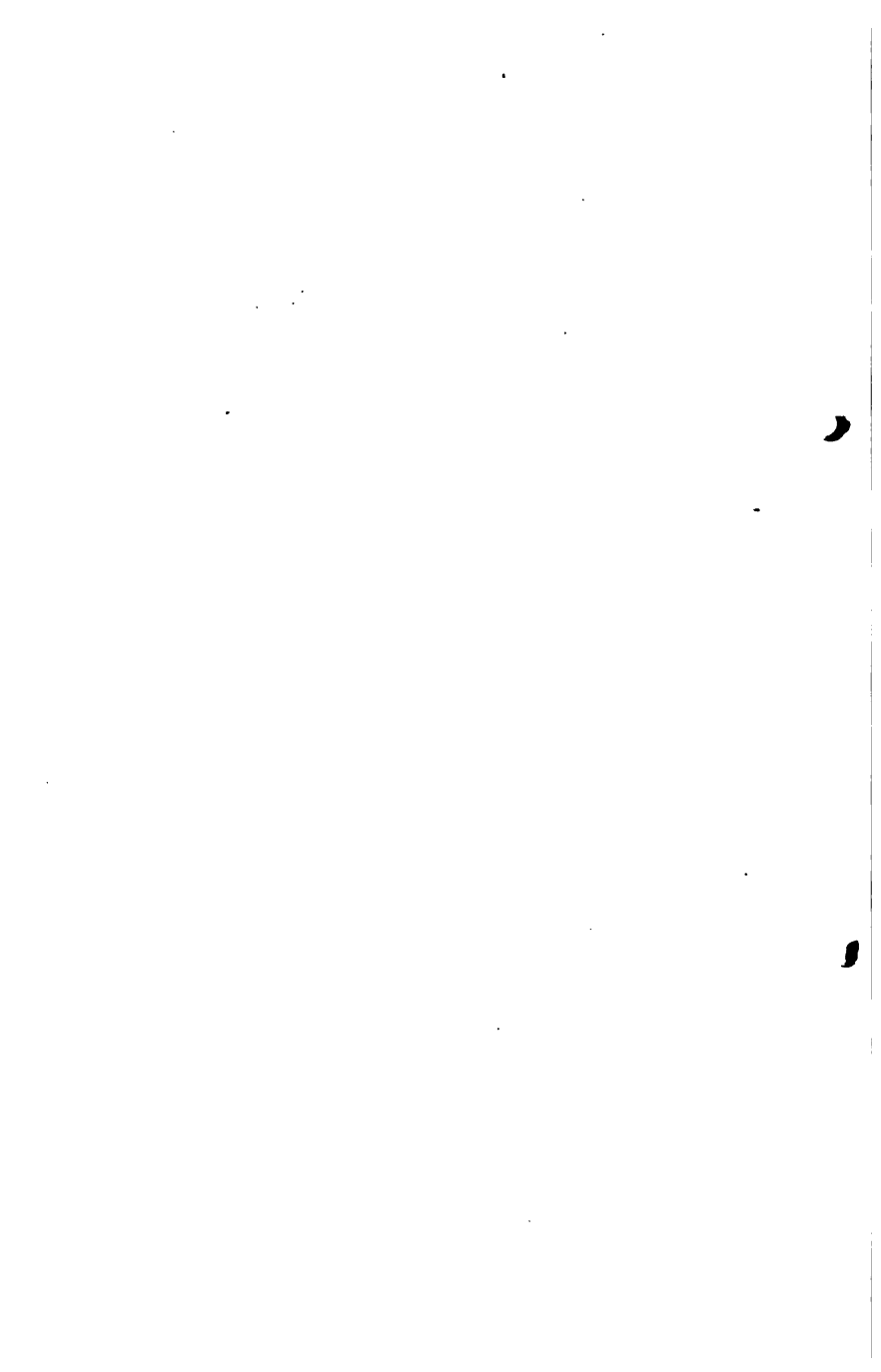
In making requisitions it should be stated under the head of remarks what serviceable standard field equipment, if any, is on hand, and the requisition should call for such articles as added to those on hand will make complete units as described above under the headings 1, 2, 3, and 4.

BY ORDER OF THE SECRETARY OF WAR:

S. B. M. YOUNG,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.



CIRCULAR, }
No. 5. }

WAR DEPARTMENT,
WASHINGTON, September 4, 1903.

I.—The following is published to the Army for the information and guidance of all concerned:

The multiball cartridges issued for use in the U. S. magazine rifle and carbine for guarding prisoners are not designed to be fed from the magazine. With these cartridges the arm should be used as a single-loader, with the magazine cut off.

II.—The following decision has been made and is published to the Army for the information and guidance of all concerned:

DEBTS DUE COMPANY FUND BY DESERTER.—After deducting for stoppages and forfeitures due to the United States at the date of a desertion any balance of pay or allowances that might otherwise be due the deserter are forfeited to the United States, and consequently there are no funds which could be used to satisfy debts due by a deserter to the funds of his company, troop, or battery.—[*Decision Chief of Staff, Sept. 2, 1903—492272 A. G. O.*]

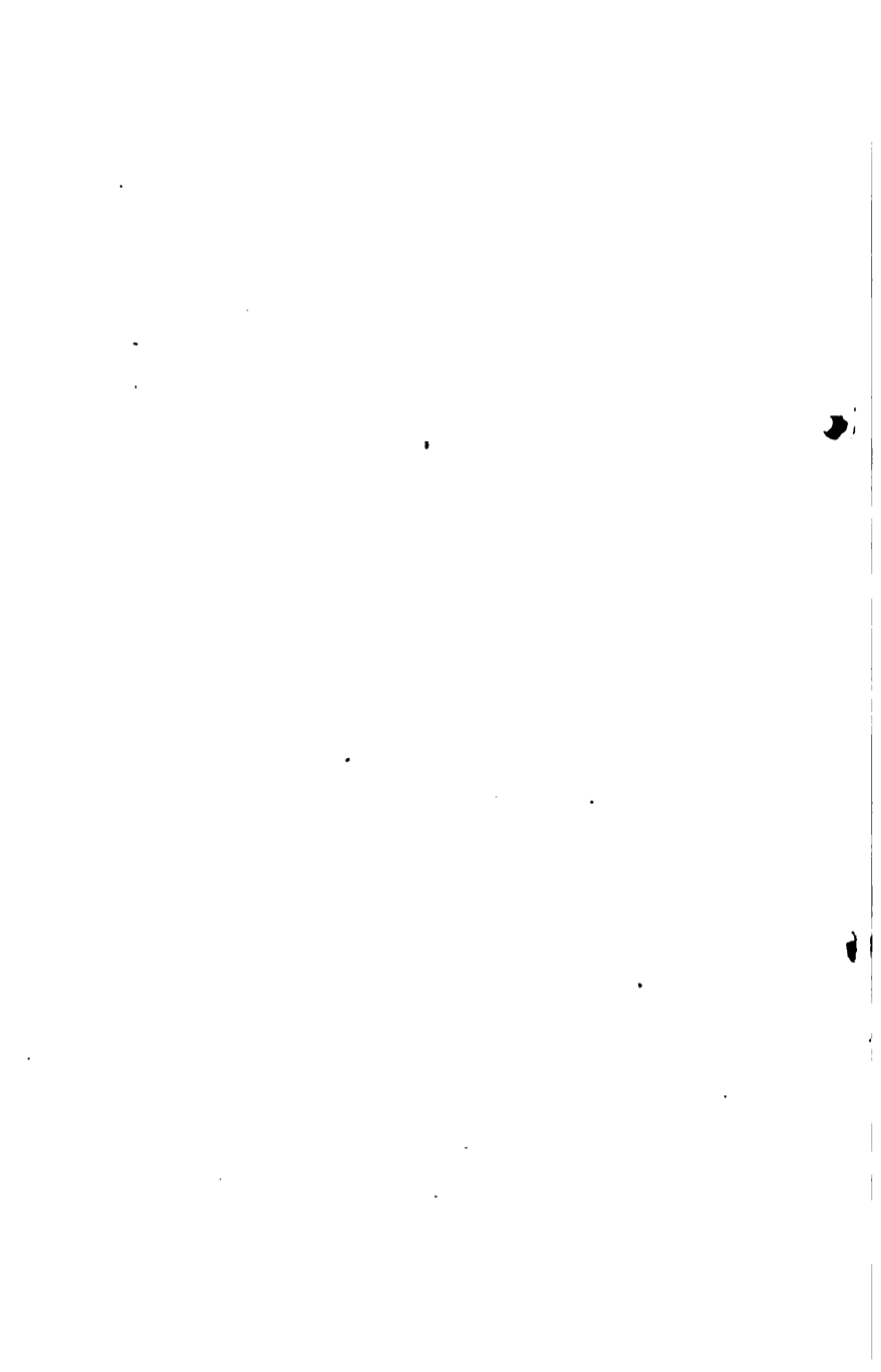
BY ORDER OF THE SECRETARY OF WAR:

W. H. CARTER,
Brigadier General, Acting Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

SEP 20 Recd



CIRCULAR, }
No. 6. }

WAR DEPARTMENT,
WASHINGTON, September 4, 1903.

With a view to extending the usefulness of our military attachés abroad, the chiefs of bureaus and offices of the War Department and individual officers of the Army at large will furnish the Second (Military Information) Division of the General Staff, from time to time, memoranda of such data respecting foreign armies as they desire in order that the attachés may be directed to investigate and report upon the same.

In order to fix responsibility for improper or duplicate distribution of official matter to foreign attachés; to place the exchange of military information with foreign war offices or their representatives accredited to this capital upon a systematic basis, and to keep an accurate record with a view to ascertaining from time to time if reciprocity is maintained, all official or semi official information either verbal, written, or printed will be received from or communicated to such offices or officials by or through the chief of the Second (Military Information) Division of the General Staff.

The bureaus, offices, and officials of the War Department will cooperate in furnishing the Military Information Division such nonconfidential information as may be required for the proper accomplishment of this purpose.

These regulations will not apply to the officers detailed to escort foreign attachés during their attendance at our maneuvers in so far as relates to the personnel and matériel of the forces engaged.

Upon the receipt of information of special interest to any particular bureau or office the Military Information Division will promptly furnish extracts or copies or refer the same to the office concerned.

When technical information of special interest or value is received in any of the bureaus or offices of the Department which has not passed through the Military Information Division the same will be forwarded to that division for record in order that requests may not be made on foreign governments for data already in the possession of the War Department.

BY ORDER OF THE SECRETARY OF WAR:

W. H. CARTER,
Brigadier General, Acting Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

SEP 20



CIRCULAR,)
No. 7. }

WAR DEPARTMENT,
WASHINGTON, September 5, 1903.

I.--The following letter from the Honorable the Secretary of the Treasury is published to the Army for the information and guidance of all concerned:

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, August 29, 1903.

The Honorable the SECRETARY OF WAR.

SIR: I have the honor to inform you that instructions have been given for the discontinuance as a depository of public moneys of the City National Bank of Norfolk, Virginia, by reason of its consolidation with the National Bank of Commerce of Norfolk, Virginia, and that instructions have been given for the transfer of the balances standing to the official credit of U. S. disbursing officers with the former to like credit with the latter, which organization has this day been specially designated for the reception of such funds. The National Bank of Commerce has been directed to pay in the usual manner upon presentation of all checks drawn by U. S. officers against their balances to be transferred from the City National Bank of Norfolk.

United States bonds to the amount of \$350,000 will be held by the Treasurer of the United States as security for public deposits with the National Bank of Commerce of Norfolk when the consolidation is completed.

Respectfully,

H. A. TAYLOR,
Acting Secretary.

II.--The following decision of the Comptroller of the Treasury, upon the claim by an officer of the Army for reimbursement for an expenditure made for the hire of transportation, when the said officer was traveling on duty under orders which entitled him to mileage, is published for the information and guidance of all concerned:

TREASURY DEPARTMENT,
OFFICE OF COMPTROLLER OF THE TREASURY,
Washington, June 16, 1903.

The Honorable the SECRETARY OF WAR.

SIR:

* * * * *

I know of no law or regulation which authorizes an officer when traveling under orders which entitles him to mileage, to incur expenses for transportation, which can become a charge against the United States except when he obtains transportation on a request issued by the Quartermaster's Department.

In all other cases he must pay for such transportation as he chooses to employ. A payment by him for transportation is a voluntary payment for his own benefit and raises no obligation against the United States to

reimburse him for any sums that he may so expend. (8 Comp. Dec., 582, 586.)

Neither does the fact that on a proper showing the Quartermaster's Department may have furnished the transportation that was paid for, authorize that Department to assume payment. (8 Comp. Dec., 157, 159.)

On the facts stated the United States is not legally liable for the amount expended by Lieutenant *Harper* and he can not therefore be reimbursed in any amount.

You are not therefore authorized to pay the claim.

The only appropriation chargeable with the class of expenses mentioned in your communication when properly incurred is "Transportation of the Army and its supplies."

Respectfully,

R. J. TRACEWELL,
Comptroller.

BY ORDER OF THE SECRETARY OF WAR:

H. C. CORBIN,
Major General, Acting Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

CIRCULAR, }
No. 8. }

WAR DEPARTMENT,
WASHINGTON, *September 8, 1903.*

The following instructions are published for the information and guidance of all concerned:

Officers of the Quartermaster's Department are directed to forward with their monthly account current the Abstract of Funds, sales to officers of the U. S. Army, Form 7, Quartermaster's Department, on which will in future be entered the names and rank of all officers and others to whom quartermaster's supplies are sold, showing the articles sold and the amounts received therefor.

When public property is sold at auction an account of sales at auction, voucher to Abstract I, Return of Quartermaster's Supplies, will be forwarded with the account current on which the money received for the sales is accounted for (in addition to the one forwarded for file with the Return of Quartermaster's Supplies), and will be accompanied by a complete inventory of the property sold, stating to whom sold, the amount received for each article or lot, and also with sub-vouchers, properly receipted, covering the expense of the sale, viz, auctioneer's fees, advertising, etc.

BY ORDER OF THE SECRETARY OF WAR:

S. B. M. YOUNG,
Lieutenant General, Chief of Staff.

OFFICIAL:

E. Z. STEEVER,
Acting Adjutant General.



CIRCULAR }
No. 9. }

WAR DEPARTMENT,
Washington, September 9, 1903.

The following is published for the information and guidance of all concerned:

The following acts of Congress, amending section 1661, Revised Statutes, making annual appropriation to provide arms and equipments for the militia, the latest regulations respecting the distribution of the arms and equipments therein provided for, and the apportionment of the militia appropriation for the fiscal year ending June 30, 1904, are published for the information of all concerned:

* * * * *

SECTION 1661, REVISED STATUTES, AS AMENDED.

Be it enacted, etc., That section sixteen hundred and sixty-one of the Revised Statutes be, and the same is hereby, amended and reenacted so as to read as follows:

"SECTION 1. That the sum of one million dollars is hereby annually appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the purpose of providing arms, ordnance stores, quartermaster's stores, and camp equipage for issue to the militia.—Act of June 6, 1900 (31 Stats., 662).

"SEC. 2. That said appropriation shall be apportioned among the several States and Territories under the direction of the Secretary of War, according to the number of Senators and Representatives to which each State respectively is entitled in the Congress of the United States, and to the Territories and District of Columbia such proportion and under such regulations as the President may prescribe: *Provided, however,* That no State shall be entitled to the benefits of the appropriation apportioned to it unless the number of its regularly enlisted, organized, and uniformed active militia shall be at least one hundred men for each Senator and Representative to which such State is entitled in the Congress of the United States. And the amount of said appropriation which is thus determined not to be available shall be covered back into the Treasury.

"SEC. 3. That the purchase or manufacture of arms, ordnance stores, quartermaster's stores, and camp equipage for the militia under the provisions of this act shall be made under the direction of the Secretary of War, as such arms, ordnance, and quartermaster's stores, and camp equipage are now manufactured or otherwise provided for the use of the Regular Army, and they shall be receipted for and shall remain the property of the United States, and be annually accounted for by the governors of the States and Territories, for which purpose the Secretary of War shall prescribe and supply the necessary blanks and make such regulations as he may deem necessary to protect the interests of the United States.

"SEC. 4. That all arms, equipments, ordnance stores, or tents which may become unserviceable or unsuitable shall be examined by a board of officers of the militia, and its report shall be forwarded by the governor of the State or Territory direct to

the Secretary of War, who shall direct what disposition, by sale or otherwise, shall be made of them; and, if sold, the proceeds of such shall be covered into the Treasury of the United States."—Act of February 12, 1887 (24 Stats., 401).

* * * * *

"SEC. 14. That whenever it shall appear by the report of inspections, which it shall be the duty of the Secretary of War to cause to be made at least once in each year by officers detailed by him for that purpose, that the organized militia of a State or Territory or of the District of Columbia is sufficiently armed, uniformed, and equipped for active duty in the field, the Secretary of War is authorized, on the requisition of the governor of such State or Territory, to pay to the quartermaster-general thereof, or to such other officer of the militia of said State as the said governor may designate and appoint for the purpose, so much of its allotment out of the said annual appropriation under section sixteen hundred and sixty-one of the Revised Statutes as amended as shall be necessary for the payment, subsistence, and transportation of such portion of said organized militia as shall engage in actual field or camp service for instruction, and the officers and enlisted men of such militia while so engaged shall be entitled to the same pay, subsistence, and transportation or travel allowances as officers and enlisted men of corresponding grades of the Regular Army are or may hereafter be entitled by law, and the officer so designated and appointed shall be regarded as a disbursing officer of the United States, and shall render his accounts through the War Department to the proper accounting officers of the Treasury for settlement, and he shall be required to give good and sufficient bonds to the United States, in such sums as the Secretary of War may direct, faithfully to account for the safe-keeping and payment of the public moneys so intrusted to him for disbursement.—(Act January 21, 1903.)

* * * * *

"SEC. 17. That the annual appropriation made by section sixteen hundred and sixty-one, Revised Statutes, as amended, shall be available for the purpose of providing for issue to the organized militia any stores and supplies or publications which are supplied to the Army by any department. Any State, Territory, or the District of Columbia may, with the approval of the Secretary of War, purchase for cash from the War Department for the use of its militia stores, supplies, material of war, or military publications, such as are furnished to the Army, in addition to those issued under the provisions of this act, at the price at which they are listed for issue to the Army, with the cost of transportation added, and funds received from such sales shall be credited to the appropriations to which they belong and shall not be covered into the Treasury, but shall be available until expended to replace therewith the supplies sold to the States and Territories and to the District of Columbia in the manner herein provided."—(Act January 21, 1903.)

MILITIA REGULATIONS AND APPORTIONMENT.

WAR DEPARTMENT,
Washington, July 24, 1903.

By direction of the President of the United States, the following regulations are prescribed for the distribution of arms, ordnance stores, quartermaster's stores, and camp equipage to the States (the apportionment to Alaska, Hawaii, and

Porto Rico being reserved for subsequent action), and the appropriation for the fiscal year ending June 30, 1904, is apportioned among the several States as follows:

REGULATIONS.

1. The appropriation made by section 1661, Revised Statutes, as amended by the acts of February 12, 1887, June 6, 1900, and January 21, 1903, will be apportioned among the several States and credited to them on the books of the War Department, except such portion as, in the discretion of the Secretary of War, may be allotted to the Territories and the District of Columbia.

2. The allotment to any State will not be available for use until a satisfactory return has been made to the Secretary of War showing that the State has the number of "regularly enlisted, organized and uniformed active militia" specified in section 2 of said act of February 12, 1887.

3. In addition to the arms, ordnance and quartermaster's stores which have hitherto been furnished under section 1661 of the Revised Statutes, section 17 of the act of January 21, 1903, now authorizes the issue of "any stores, supplies or publications which are supplied to the Army by any staff department." Issues under the authority conferred by section 1661, Revised Statutes, as thus amended, will be made upon the requisitions of governors of States and Territories and of the commanding general of the National Guard of the District of Columbia.

4. Excepting the issue of arms, armament, and equipment to the organized militia under the acts approved January 21 and March 2, 1903, it is forbidden to make issues to States, Territories, or the District of Columbia in excess of the amount of their credit under the provisions of section 1661 of the Revised Statutes, as amended by the acts above cited.

5. All the public property issued to the organized militia will be accounted for under the same regulations that now govern accountability for public property in the Army, and the chiefs of the several supply departments will furnish the governors of the several States and Territories and the commanding general of the National Guard of the District of Columbia the necessary blank forms for making the required

returns of the public property so issued, and returns will be made annually on the 31st of December of each year and will be sent to the War Department for examination and settlement.

6. The chiefs of the various supply departments will issue the necessary instructions for the safe-keeping, preservation, and accountability of all public property issued.

7. The examination of the unserviceable or unsuitable public property provided for in section 4 of said act of February 12, 1887, shall be made at least annually, and the proceedings of the board of officers of the militia will show in detail opposite each article on the inspection report in what respect the property is unserviceable or unsuitable, and will also indicate in each case the disposition recommended by the board of inspection; and should the board recommend sale of the property, the recommendation will state whether by auction or by inviting bids from dealers or others likely to purchase such articles, stating reasons; and in the case of any public property rendered unserviceable through causes other than the ordinary incidents of service, the board will investigate and report the causes and recommend to the Secretary of War the necessary action as to personal responsibility for the damages in each case.

8. The order of the Secretary of War directing a sale of condemned property will indicate the method of advertisement, which will generally be by means of circulars posted in public places and sent by mail to dealers and others likely to purchase; but if advertisement in newspapers is indicated, the provisions of Army Regulations 579-585 apply, and request for special authority to advertise must be made upon prescribed forms, designating the newspapers in which advertisement is desired.

9. The net proceeds of a sale of condemned property (except subsistence supplies), after deducting necessary and reasonable expenses of advertising and auctioneer's fee, will be deposited by the governor, or by the commanding general of the National Guard of the District of Columbia, in a United States depository to the credit of the Treasurer of the United States; if received from sales of condemned supplies, the funds must be deposited as "miscellaneous receipts on account of proceeds of Government property;" if from sales of condemned ordnance

stores, the deposit must be made on account of "sales of condemned ordnance stores." Funds received from the sale of condemned subsistence supplies must be deposited to the credit of the appropriation "Subsistence of the Army, 190-."

10. Immediately after a sale of condemned property an itemized report will be made by the governor, or by the commanding general of the National Guard of the District of Columbia, to the chief of the bureau to which the property pertains, showing date and place of sale, quantity and kind of articles sold, prices obtained, names of purchasers, expenses of sale, and gross and net proceeds, accompanied by a copy of the order authorizing the sale, and receipted vouchers for expenses of sale. The report to the Quartermaster-General will be made on Form No. 94, Quartermaster's Department, "Account of sales at auction;" that to the Chief of Ordnance on Form No. 8, Ordnance Department, "Abstract of sales;" that to the Commissary General on Form No. 17, "Sales at auction;" that to the Surgeon General on Form No. 9, "Sales at auction;" that to the Chief of Engineers on Form No. 27, "Account of sales at auction," and that to the Chief Signal Officer on Form No. 214a, "Account of sales," all in duplicate.

11. Under section 14 of the act of January 21, 1903, so much of the allotment of a State or Territory or the District of Columbia out of the annual appropriation under section 1661, Revised Statutes, as amended, "as shall be necessary for the payment, subsistence, and transportation of such portion of its organized militia as shall engage in active field or camp service for instruction" will be paid over "to the quartermaster-general thereof, or to such other officer of the militia of said State as the said governor may designate and appoint for the purpose." Before such payments can be made, however, the following statutory conditions must be complied with:

1. It must appear by reports of inspections made by officers, detailed for that purpose by the Secretary of War, that the organized militia of a State or Territory or of the District of Columbia is sufficiently armed, uniformed, and equipped for active duty in the field.

2. A disbursing officer will then be appointed by the governor of the State or Territory, or the commanding general of the National Guard of the District of Columbia, from the organized militia. The fact of such appointment and the name of the appointee will be reported to the Secretary of War, who will fix the amount of the bond which such officer shall give faithfully to account for the safe-keeping and payment of the public moneys so intrusted to him for disbursement.

3. When the bond has been furnished and approved, requisitions may be submitted by the governor for such portion of the amounts standing to the credit of the State, Territory, or the District of Columbia as he may desire to expend in providing for the payment, subsistence, and transportation of such portion of the organized militia of such State, Territory, or District of Columbia as shall engage in actual field or camp service for instruction.

Expenditures will be made by said disbursing officer on the order of the governor or the commanding general of the National Guard of the District of Columbia, and the accounts current for such disbursements, supported by vouchers, will be rendered monthly to the proper bureau of the War Department, with a view to their final submission to the proper accounting officers of the Treasury for settlement.

12. Any regulations established hitherto which in any way conflict with these are hereby revoked.

Apportionment to the States of the \$1,000,000 provided for under section 1661, Revised Statutes, as amended by acts of February 12, 1887, June 6, 1900, and January 21, 1903.

State.	Represent- ation.	Amount.
Alabama	11	\$21,942.47
Arkansas	9	17,952.93
California	10	19,947.70
Colorado	5	9,973.85
Connecticut	7	13,963.39
Delaware	3	5,984.31
Florida	5	9,973.85
Georgia	13	25,932.01
Idaho	3	5,984.31
Illinois	27	53,858.79
Indiana	15	29,921.55
Iowa	13	25,932.01
Kansas	10	19,947.70
Kentucky	13	25,932.01
Louisiana	9	17,952.93
Maine	6	11,968.62
Maryland	8	15,958.16
Massachusetts	16	31,916.32
Michigan	14	27,926.78
Minnesota	11	21,942.47
Mississippi	10	19,947.70
Missouri	18	35,905.86
Montana	3	5,984.31
Nebraska	8	15,958.16
Nevada	3	5,984.31
New Hampshire	4	7,979.08
New Jersey	12	23,937.24
New York	39	77,796.03
North Carolina	12	23,937.24
North Dakota	4	7,979.08
Ohio	23	45,879.71

*Apportionment to the States of the \$1,000,000 provided for
under section 1661, Revised Statutes, etc.—Continued.*

State.	Represent- ation.	Amount.
Oregon.....	4	\$7,979.08
Pennsylvania.....	34	67,822.18
Rhode Island.....	4	7,979.08
South Carolina.....	9	17,952.93
South Dakota.....	4	7,979.08
Tennessee.....	12	23,937.24
Texas.....	18	35,905.86
Utah.....	3	5,984.31
Vermont.....	4	7,979.08
Virginia.....	12	23,937.24
Washington.....	5	9,973.85
West Virginia.....	7	13,963.39
Wisconsin.....	13	25,932.01
Wyoming.....	3	5,984.31
Arizona.....		4,760.80
District of Columbia.....		15,590.00
New Mexico.....		4,321.35
Oklahoma.....		10,817.33

NOTE.—The apportionment to Alaska, Hawaii, and Porto Rico has been reserved for future consideration.

ELIHU ROOT,
Secretary of War.

BY ORDER OF THE SECRETARY OF WAR:

S. B. M. YOUNG,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

CIRCULAR, }
No. 10. }

WAR DEPARTMENT,
WASHINGTON, September 17, 1903.

I--Hereafter, in making purchases from the hospital fund articles of the ration, if for sale, must be purchased from the Subsistence Department, and no article from the special diet allowance will be purchased from any other source so long as the Subsistence Department has it in stock.

II--Circular, No. 43, Headquarters of the Army, Adjutant General's Office, November 29, 1901, is revoked, and hereafter the purchase of ice is authorized from the fund of forty cents per diem appropriated for special diet to enlisted patients in hospitals who are too sick to subsist on the Army ration.

BY ORDER OF THE SECRETARY OF WAR:

S. B. M. YOUNG,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

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CIRCULAR, }
No. 11. }

WAR DEPARTMENT,
WASHINGTON, September 18, 1903.

The following letter of the Assistant Attorney General for the Post-Office Department is published for the information of all concerned:

OFFICE OF THE ASSISTANT ATTORNEY GENERAL
FOR THE POST-OFFICE DEPARTMENT,

Washington, September 2, 1903.

The Honorable the THIRD ASSISTANT POSTMASTER GENERAL.

SIR: By your reference of the 1st instant this office is in receipt of certain papers submitted by the Secretary of War relative to the use of penalty envelopes or penalty slips by the post exchange at West Point, New York, for forwarding articles of uniform and equipment to officers and enlisted men of the Army.

Under date of December 30, 1901, this office held that officers in charge of post exchanges are entitled to use official penalty envelopes in connection with the business of such exchanges. This opinion was based upon a decision of the Court of Claims to the effect that a post exchange established under the then existing regulations of the War Department was a Government institution or agency, and was not subject to the internal revenue tax for dispensing light wines and liquors. (*See Dugan v. United States*, 34 Ct. of Claims, 458.)

No distinction can be made between the different classes of merchandise in applying the law to this case. Neither is it material whether a citizen, an officer, or an enlisted man purchases such articles, for in either case the purchase of the articles is a *personal* transaction with the post exchange. The whole question hinges upon whether the matter intended to be sent free relates "exclusively to the business of the Government of the United States."

General Order, No. 5, issued by direction of the Secretary of War, provides in part as follows:

1. *Purpose.*—The post exchange will combine the features of reading and recreation rooms, a cooperative store, and a restaurant. Its primary purpose is to supply the troops at reasonable prices with the articles of ordinary use, wear, and consumption not supplied by the Government, and to afford them means of rational recreation and amusement. Its secondary purpose is, through exchange profits, to provide the means of improving the messes.

8. *First expenses of stock and fixtures.*—The expense of fitting up the quarters of the exchange and procuring the necessary articles for the first stock and fixtures may be met by an assessment upon the funds of the several organizations contributing to the institution or these may be contracted for or procured on credit. When procured on credit the bills must be paid from the first profits, and it is to be distinctly understood that the officers incurring the debt are responsible for the payment and not the Government. The Quartermaster's Department is authorized to sell for cash to exchanges at cost, with price of transportation added, * * *

16. * * * Transportation should not be charged to operating expenses, but added to the cost of the merchandise or fixtures to which it pertains.

17. *Distribution of profits.*— * * * Five per cent will be paid into the regimental fund if a band is serving at the post. Of the balance appropriations may be made for laying out and preparing and cultivating gardens and supplying seeds, roots, or plants for the same, the purchase of books, newspapers, periodicals, stationery, etc., for the post exchange library; the purchase of gymnastic appliances when there is no gymnasium connected with the exchange; prizes for athletic sports. The remaining money may be divided among the organizations contributing to the exchange on such equitable basis as shall be determined by the council with the approval of the commanding officer.

It is my opinion that articles bought at a post exchange should not be sent free through the mails to buyers. The purchase is a personal transaction so far as the purchaser is concerned, and immediately after it is consummated the merchandise is private property, whether consummated through the mails or otherwise. The purchaser has the right to state whether he wants his goods sent by freight, express, or mail, and if the post exchange is not under obligations to pay the freight or the express charges, as is evident from the regulations above quoted, which authorize the adding of such charges to the cost of the articles, the Post-Office Department is certainly not under obligations to assume the expense of such transportation if the mails are used therefor. To do so would simply lessen the price of the article to the purchaser at the expense of the Government.

The papers submitted are herewith returned.

Very respectfully,

C. H. ROBB,

Assistant Attorney General for the Post-Office Department.

BY ORDER OF THE SECRETARY OF WAR:

S. B. M. YOUNG,

Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,

Acting Adjutant General.

CIRCULAR, }
No. 12. }

WAR DEPARTMENT,
WASHINGTON, September 28, 1903.

I.—The following instructions are published for the information and guidance of all concerned:

1. All surplus smokeless powder resulting from the reduction of charges ordered in General Orders, No. 77, Adjutant General's Office, May 23, 1903, will be packed separately by lots and marked, giving maker's name, lot number, year of manufacture, and caliber of gun. Care will be taken not to mix powders for different guns, nor different lots for the same gun.

2. Where Government transportation is available the ordnance officer at the headquarters of each artillery district will collect all such powder within the district and, after having it properly boxed, will ship it on memorandum invoices to the commanding officer, U. S. Powder Depot, Dover, New Jersey, for all Atlantic and Gulf coast posts, and to the commanding officer, Benicia Arsenal, California, for Pacific coast posts.

3. Where posts of an artillery district are isolated and communication with district headquarters is not by Government transportation, shipments will be made direct by the post ordnance officer as directed in paragraph 2.

4. This surplus powder will not be taken up on the property returns of each post (the charges when fired being expended as complete charges), but will be taken up at the depots as received.

II.—The following order of the Post-Office Department is published to the Army for the information and guidance of all concerned:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., May 22, 1903.

ORDER No. 493.

Ordered: That on and after October 1, 1903, United States postage stamps overprinted "Philippines" shall not be accepted for postage on matter mailed within the United States, and United States postage stamps without the Philippine overprint shall not be accepted for postage in the Philippine Islands.

H. C. PAYNE,
Postmaster General.

BY ORDER OF THE SECRETARY OF WAR:

S. B. M. YOUNG,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

CIRCULAR, }
No. 13. }

WAR DEPARTMENT,
WASHINGTON, *September 29, 1903.*

The accompanying list, showing surety companies which have qualified to do business in the State in which incorporated, showing also the United States judicial districts in other States and Territories in which each has complied with section 2, act of August 13, 1894, and paragraph 656 of the Army Regulations, corrected to present date, is published for the information of all concerned.

BY ORDER OF THE SECRETARY OF WAR:

S. B. M. YOUNG,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General

**List showing Surety Companies which have qualified to do
U. S. Judicial Districts in other States and Terri
of August 13, 1894, and Army**

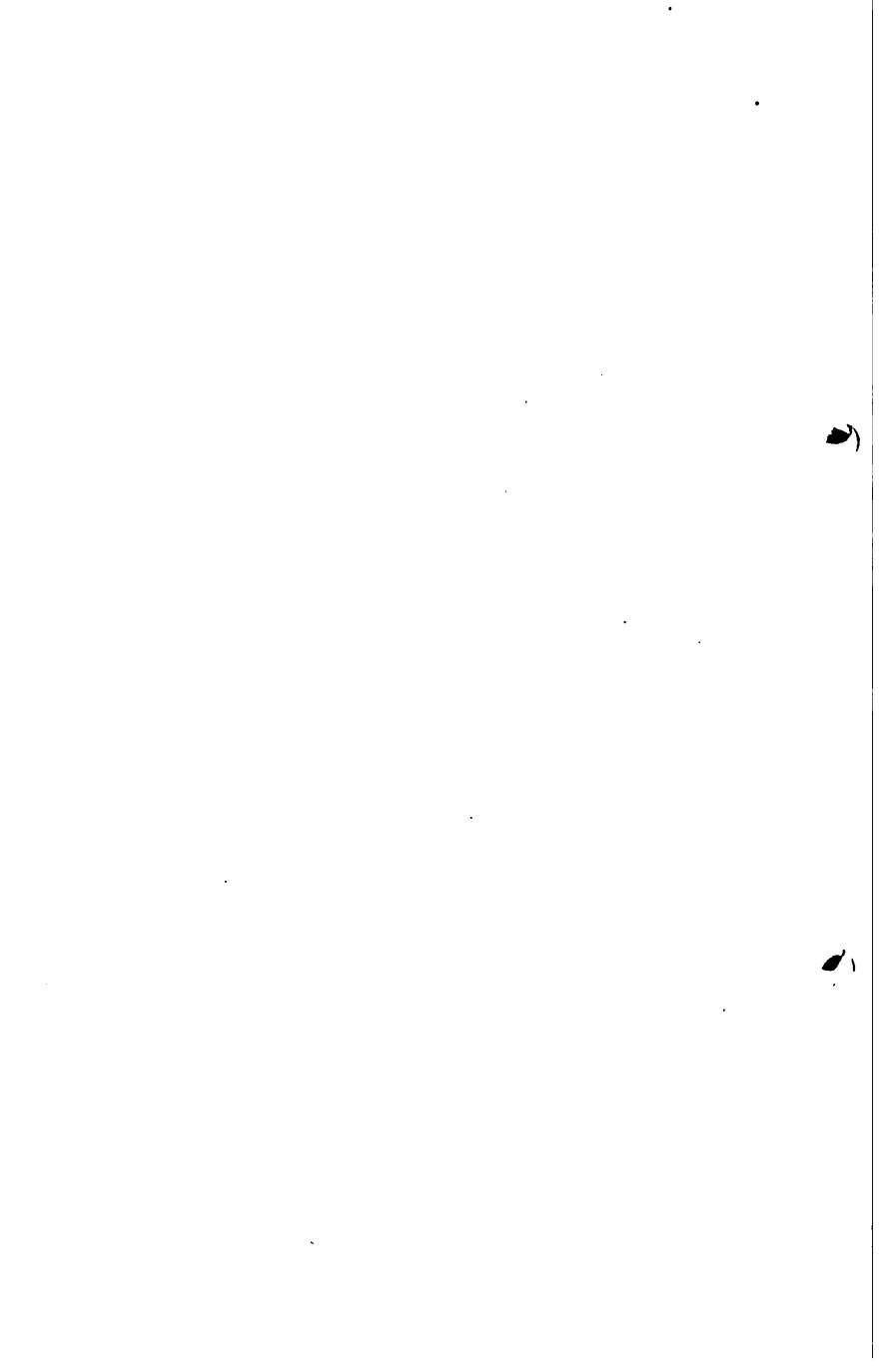
NAME OF COMPANY.	ALA.		ALAS.		ARIZ.		ARK.		CAL.		COLO.		CONN.	
	Nb.	Mid.	Sa.				Eu.	Wa.	Nb.	Sa.				
American Surety Company of New York, 100 Broadway, New York, N. Y.	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Fidelity and Deposit Company of Maryland, corner Charles and Lexington sts., Baltimore, Md.	x	x	x		x	x	x	x	x	x	x	x	x	x
American Bonding Co. of Baltimore, Md.	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The City Trust Safe Deposit and Surety Co. of Philadelphia, 927 Chestnut st., Phila., Pa.	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Fidelity and Casualty Company of New York, 99 to 103 Cedar st., New York, N. Y.	x	x	x				x	x	x	x	x	x	x	x
The U. S. Fidelity and Guaranty Company, S.W. cor. Calvert and German sts., Baltimore, Md.	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Mercantile Trust Co., Pittsburg, Pa.	x	x	x	x	x	x	x	x	x	x	x	x	x	x
National Surety Company, New York, N. Y.	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Equitable Guarantee and Trust Company, NW. cor. 9th and Market sts., Wilmington, Del.														
The Union Trust Co. of Pittsburg, Pittsburg, Pa.	x	x	x	x	x	x	x	x	x	x	x	x	=	
The Aetna Indemnity Company, Hartford, Conn.														
The Union Safe Deposit and Trust Company, Portland, Me.				x					=	=	x			
Pacific Surety Company, San Francisco, Cal.														
Virginia Trust Company, Richmond, Va.	x	x	x		x	x	x	x	x	x	x	x	x	x
The Union Surety and Guaranty Co., Phila., Pa.														
The Equitable Trust Co. of Pittsburg, Ptsbg., Pa.														
United States Guarantee Co., New York, N. Y.														
Citizens' Trust and Guaranty Co., Parkersburg, W. Va.	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Bankers Surety Co., Cleveland, Ohio.							x	x			x			
American Central Trust Co., St. Louis, Mo.														
The Continental Title and Trust Co., Phila., Pa.														
The Empire State Surety Co., New York, N. Y.														
The Title and Guaranty Trust Co. of Scranton, Pa.														
Federal Union Surety Co., Indianapolis, Ind.														

LEGEND: = indicates State in which incorporated.

*List showing Surety Companies which have qualified to do
U. S. Judicial Districts in other States and Terri
of August 13, 1894, and Army Regu*

NAME OF COMPANY.	MONT.	NEBR.	NEV.	N. C.	N. DAK.	N. H.	N. J.	N. MEX.
			En.	Wh.				
American Surety Company of New York, 100 Broad- way, New York, N. Y.	x	x	x	x	x	x	x	x
Fidelity and Deposit Company of Maryland, corner Charles and Lexington sts., Baltimore, Md.	x	x	x	x	x	x	x	x
American Bonding Co. of Baltimore, Md.	x	x	x	x	x	x	x	x
The City Trust Safe Deposit and Surety Co. of Phila- delphia, 927 Chestnut st., Phila., Pa.	x	x	x	x	x	x	x	x
The Fidelity and Casualty Company of New York 99 to 103 Cedar st., New York, N. Y.	x	x	x	x	x	x	x	x
The U. S. Fidelity and Guaranty Company, SW. cor. Calvert and German sts., Baltimore, Md.	x	x	x	x	x	x	x	x
The Mercantile Trust Co., Pittsburg, Pa.	x	x	x	x	x	x	x	x
National Surety Company, New York, N. Y.	x	x	x	x	x	x	x	x
The Equitable Guarantee and Trust Company, NW cor. 9th and Market sts., Wilmington, Del.	x	x	x	x	x	x	x	x
The Union Trust Co. of Pittsburg, Pittsburg, Pa.	x	x	x	x	x	x	x	x
The Aetna Indemnity Company, Hartford, Conn.	x	x	x	x	x	x	x	x
The Union Safe Deposit and Trust Company, Port- land, Me.	x	x	x	x	x	x	x	x
Pacific Surety Company, San Francisco, Cal.	x	x	x	x	x	x	x	x
Virginia Trust Company, Richmond, Va.	x	x	x	x	x	x	x	x
The Union Surety and Guaranty Co., Phila., Pa.	x	x	x	x	x	x	x	x
The Equitable Trust Co. of Pittsburg, Ptsbg., Pa.	x	x	x	x	x	x	x	x
United States Guarantee Co., New York, N. Y.	x	x	x	x	x	x	x	x
Citizens' Trust and Guaranty Co., Parkersburg, W. Va.	x	x	x	x	x	x	x	x
The Bankers' Surety Co., Cleveland, Ohio	x	x	x	x	x	x	x	x
American Central Trust Company, St. Louis, Mo.	x	x	x	x	x	x	x	x
The Continental Title and Trust Co., Phila. Pa.	x	x	x	x	x	x	x	x
The Empire State Surety Co., New York, N. Y.	x	x	x	x	x	x	x	x
The Title Guaranty and Trust Co. of Scranton, Pa.	x	x	x	x	x	x	x	x
Federal Union Surety Co., Indianapolis, Ind.	x	x	x	x	x	x	x	x

LEGEND: = Indicates State in which incorporated.







CIRCULAR, }
No. 14. }

WAR DEPARTMENT,
WASHINGTON, October 8, 1903.

I.--The purpose of Circular, No. 84, Headquarters of the Army, Adjutant General's Office, July 12, 1899, directing that when typewriters supplied to the Army by the Quartermaster's Department become unserviceable they be submitted for the action of a board of survey, having been accomplished, it is revoked.

II.--The following is published for the information and guidance of all concerned:

All National Guard organizations using the Springfield rifle, caliber .45, during the current target season will be allowed a reduction of 15 per cent in the totals required for qualification in the several grades of marksmanship in special course "C," Small-Arms Firing Regulations, for the use of the Organized Militia.

BY ORDER OF THE SECRETARY OF WAR:

S. B. M. YOUNG,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

UCT 20 1903



CIRCULAR, }
No. 15. }

WAR DEPARTMENT,
WASHINGTON, *October 28, 1903.*

The following letter from the Auditor for the War Department is published to the Army for the information and guidance of all concerned:

TREASURY DEPARTMENT,
WASHINGTON, *October 28, 1903.*

The Honorable the SECRETARY OF WAR.

SIR: In the examination of accounts of disbursing officers it is found that copies of papers filed in support of vouchers are often certified to be true copies by the disbursing officer. This is almost universally true of papers constituting evidence of the transfer of title to lands purchased by the United States. This practice is not satisfactory. This office will hereafter require, in cases where copies of papers are necessary to establish the validity of a voucher in a disbursing officer's account, that the copies be certified by some officer other than the disbursing officer claiming credit on the voucher.

Respectfully,

F. E. RITTMAN,
Auditor.

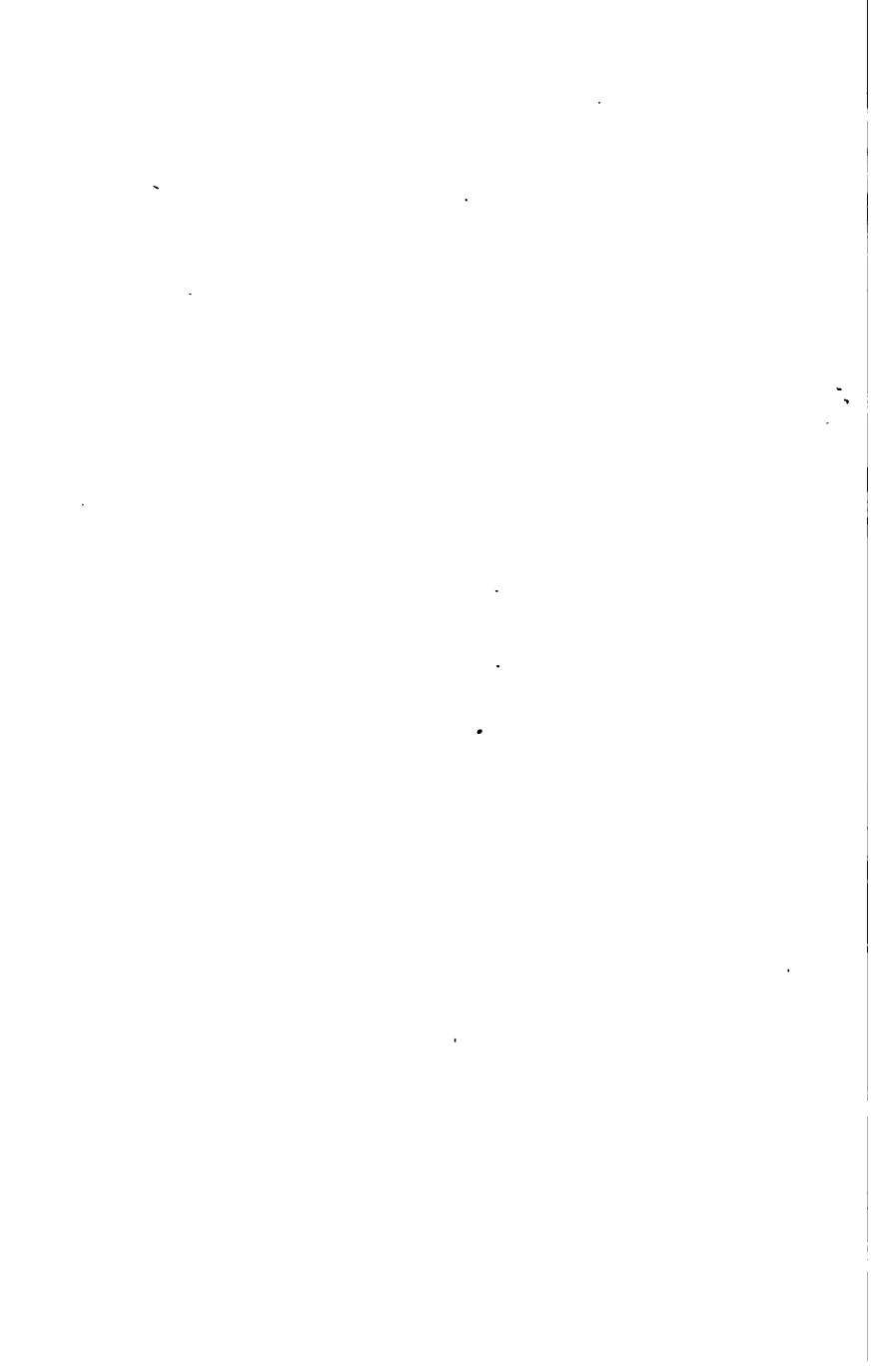
BY ORDER OF THE SECRETARY OF WAR:

S. B. M. YOUNG,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

NOV 22 Rec'd



CIRCULAR }
No. 17. }

WAR DEPARTMENT,
Washington, November 7, 1903.

The following score for trumpets, written by Chief Musician Adolph Berliner, Second Cavalry, having been used with good results in the execution to music of the first and second sets of Butts's Calisthenic Exercises, is published with a view to its use in such exercises at the discretion of the officer in charge of the same.

BY ORDER OF THE SECRETARY OF WAR:

S. B. M. YOUNG,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

3-238

Rec'd Dec 3, 1903

SCORE FOR TRUMPETS.



CIRCULAR, }
No. 18. }

WAR DEPARTMENT,
WASHINGTON, November 16, 1903.

I.—The following-named article will be kept on hand by the Subsistence Department for sale to officers and enlisted men in the United States, Alaska, Cuba, the Hawaiian Islands, and Porto Rico:

Article.	Varieties.	Unit of weight or measure.	Kinds or sizes of packages preferred.
Malted milk.....	-----	Bottle.....	1-lb bottle.

II.—The following order of the Post-Office Department relative to the use of the double postal card between the United States and the Philippine Islands is published for the information and guidance of all concerned:

POST-OFFICE DEPARTMENT,
Washington, D. C., October 27, 1903.

The attention of the postal service is directed to the Postmaster-General's Order No. 1063 of October 27, 1903, reading as follows:

Ordered: That the reply half of the Philippine double postal card of 1-cent denomination, overprinted with the word "Philippines," shall be valid for postage when mailed in the United States and addressed to points in the Philippine Islands.

The United States 1-cent double postal card may be mailed from the United States to the Philippine Islands, and, by arrangement with the Bureau of Posts of the Philippines, the reply half of the card is valid for postage when mailed in the Philippines and addressed to points in this country.

EDWIN C. MADDEN,
Third Assistant Postmaster General.

BY ORDER OF THE SECRETARY OF WAR:

S. B. M. YOUNG,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

CIRCULAR, }
No. 19. }

WAR DEPARTMENT,
WASHINGTON, November 18, 1903.

The following decision of the Assistant Comptroller, Treasury Department, is published to the Army for the information and guidance of all concerned:

A soldier discharged without honor "on account of his own misconduct, a malingerer," is not discharged by way of punishment for an offense and therefore travel-pay is not forfeited, but a soldier apprehended as a deserter and without being restored to duty is discharged without honor by the Secretary of War by reason of desertion, does forfeit travel allowances and arrears of pay.

TREASURY DEPARTMENT,
OFFICE OF COMPTROLLER OF THE TREASURY,
October 28, 1903.

The Auditor for the War Department has reported for approval, disapproval or modification, the following decision:

James H. McCarty claims travel-pay on his discharge from Troop M, 9th Cavalry, of April 7, 1901.

The records show that the claimant was discharged without honor by direction of the Secretary of War, Special Orders, No. 77, Adjutant General's Office, 1901, "on account of his own misconduct, a malingerer."

The act of March 2, 1901, provides as follows:

"That hereafter * * * an enlisted man when discharged from the service, except by way of punishment for an offense, shall receive four cents per mile from the place of his discharge to the place of enlistment, enrollment or muster in to the service."

The question to be determined in this case is whether a soldier discharged by order of the Secretary of War, for a specific offense, is discharged "by way of punishment for an offense" within the meaning of the act of March 2, 1901, *supra*.

"Punishment. In criminal law. Some pain or penalty warranted by law, inflicted on a person for the commission of a crime or misdemeanor, or for the omission of the performance of an act required by law, by the judgment and command of some lawful court." (Bouvier's Law Dictionary, 795.)

"The discharge without honor is not a punishment. When a soldier is discharged before or on expiration of service, he is entitled to a certificate to that effect but he is not entitled to a certificate of honorable discharge (which is now only given to soldiers whose service has been honest and faithful), if in fact his service has not been honest and faithful. In such case he has failed to earn an honorable discharge and is given a discharge which discloses that fact—a discharge without honor. This discharge carries with it forfeiture of retained pay, if any, as an incident, not of the discharge but of the failure to render honest and faithful service. Not being a discharge 'by way of punishment for an offense,' forfeiture of travel allowances is not an incident of it." (Digest of Opinions of the Judge Advocates General of the Army, 319.)

The Comptroller of the Treasury, under date of August 19, 1902, held "that the acts of May 26, 1900, and March 2, 1901, repealed all prior acts relative to travel allowances and that the restrictions contained in the act of March 16, 1896, are no bar to the payment of travel-pay under the act of March 2, 1901." The claimant in this case was discharged after March 2,

Rec'd Dec 3, 1903.

1901, consequently the restrictions of the act of March 16, 1893, do not apply to this case. The definition of Bouvier, *supra*, has been quoted with approval by courts of law in numerous cases, and the spirit of the decision of the Judge Advocate General, *supra*, that the power to determine and punish is a judicial one and one not vested by law in any executive officer is in line with the decisions of the courts.

In view of the foregoing, I am of the opinion, and so decide, that a soldier discharged without honor by the Secretary of War, for any specific cause, is not discharged by way of punishment for an offense within the meaning of the act of March 2, 1901.

The Assistant Comptroller of the Treasury, under date of March 30, 1908 (9 Comp., 517), held, quoting the syllabus:

"A soldier who has been apprehended as a deserter, and, who, without having been restored to duty, was discharged, without trial, by reason of desertion, is not entitled to arrears of pay or travel-pay so long as the fact of desertion appears on the record."

As my decision involves the modification of that decision, it will be at once transmitted to the Comp. of the Treasury for his approval, disapproval or modification, under the provisions of the act of July 31, 1894.

The facts in the case cited by the Auditor are different from those in the case decided in 9 Comp. Dec., 517.

That decision applied only to the case of a soldier who has been absent in desertion and who was apprehended as a deserter and who, without being restored to duty, was discharged by the Secretary of War without honor, by reason of the desertion. I see no reason to change or modify that decision. See *United States v. Lenders*, 92 U. S., 77.

I am of opinion that a soldier discharged, as was McCarty, the claimant, is not discharged by way of punishment for an offense within the meaning of the act of March 2, 1901, *supra*. (See 7 Comp. Dec., 544.)

The decision of the Auditor is modified in accordance with these views.

L. P. MITCHELL,
Assistant Comptroller.

BY ORDER OF THE SECRETARY OF WAR:

W. H. CARTER,
Brigadier General, Acting Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

CIRCULAR, }
No. 20. }

WAR DEPARTMENT,
WASHINGTON, November 19, 1903.

The following decision of the Assistant Comptroller of the Treasury is published to the Army for the information of all concerned:

A squadron quartermaster and commissary of cavalry is not entitled to additional pay for duty performed as acting assistant or post commissary.

TREASURY DEPARTMENT,
WASHINGTON, October 28, 1903.

The Honorable THE SECRETARY OF WAR.

SIR: By your authority, I have received a communication from the Paymaster General of the Army, dated the 2d instant, requesting my decision of a question presented as follows:

I have the honor to submit herewith pay accounts of Lieutenant Frank McEnhill, squadron quartermaster and commissary, 2d Cavalry, on which pay is claimed as acting commissary of subsistence from May 1 to August 31, 1903.

This office has held in similar cases that the decision of the Comptroller on the same question in the case of regimental commissaries (5 Comp. Dec., 761) applies also in the case of battalion and squadron commissaries. As frequent claims of this character have been presented and payment declined, the decision of the Comptroller is requested.

The following indorsement appears upon the papers submitted:

WAR DEPARTMENT,
OFFICE OF THE COMMISSARY GENERAL,
WASHINGTON, D. C., September 12, 1903.

The records of this office show that Lieutenant Frank McEnhill, squadron quartermaster and commissary, 2d Regiment of Cavalry, performed the duties of acting commissary from July 1, 1903, to August 31, 1903, inclusive.

BY DIRECTION OF THE COMMISSARY GENERAL:

(Signed) CHARLES P. STIVERS,
Captain, Commissary,
Assistant to the Commissary General.

The War Department reported October 7, 1903, that the records of the Adjutant General's Office showed that 2d Lieutenant McEnhill was squadron quartermaster and commissary, 3d Squadron, from May 1 to August 31, 1903, and that he was also post commissary during said period.

Section 1261, Revised Statutes, provides:

The officers of the Army shall be entitled to the pay herein stated after their respective designations:

Acting assistant commissary: One hundred dollars a year in addition to pay of his rank.

Section 2 of the act of February 2, 1901 (31 Stat., 748), provides:

That each regiment of cavalry shall consist of * * * fifteen captains, fifteen first lieutenants, and fifteen second lieutenants; * * * Of the

officers herein provided, the captains and lieutenants not required for duty with the troops shall be available for detail as regimental and squadron staff officers and such other details as may be authorized by law or regulations. * * * squadron quartermasters and commissaries shall receive one thousand six hundred dollars per annum and the allowances of second lieutenants. * * *

Paragraph 266, Army Regulations, 1901, provides that—

The commissary is responsible for all subsistence supplies of the regiment and may be required to perform the duties of the post where he is stationed.

Paragraph 267, Army Regulations, 1901, provides that—

a battalion staff officer is subject to any duty which the commanding officer may impose.

Paragraph 1454 of the Regulations provides that—

no officer shall receive pay for two staff appointments for the same time.

An exception is specifically made in favor of a quartermaster of a regiment who is appointed an acting commissary. In such a case he may have the additional pay provided by law for performing the duties of the latter position.

In the decision of this office of May 22, 1899 (5 Comp. Dec., 787), it was held—

that a regimental commissary is not entitled to the additional pay provided for acting assistant commissaries of subsistence by section 1261 of the Revised Statutes for the performance of any duty appropriate to that of regimental commissary.

It would appear from the regulations cited that the duty which Lieutenant McEnhill performed as acting assistant or post commissary was appropriate to that of squadron quartermaster and commissary and such that he could properly have been required to perform in connection with his duty as squadron commissary.

I am of opinion, therefore, that you are not authorized to pay him as claimed.

Respectfully,

L. P. MITCHELL,
Assistant Comptroller.

BY ORDER OF THE SECRETARY OF WAR:

S. B. M. YOUNG,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

CIRCULAR, }
No. 21. }

WAR DEPARTMENT,
WASHINGTON, *November 20, 1903.*

The following is published for the information and guidance of all concerned:

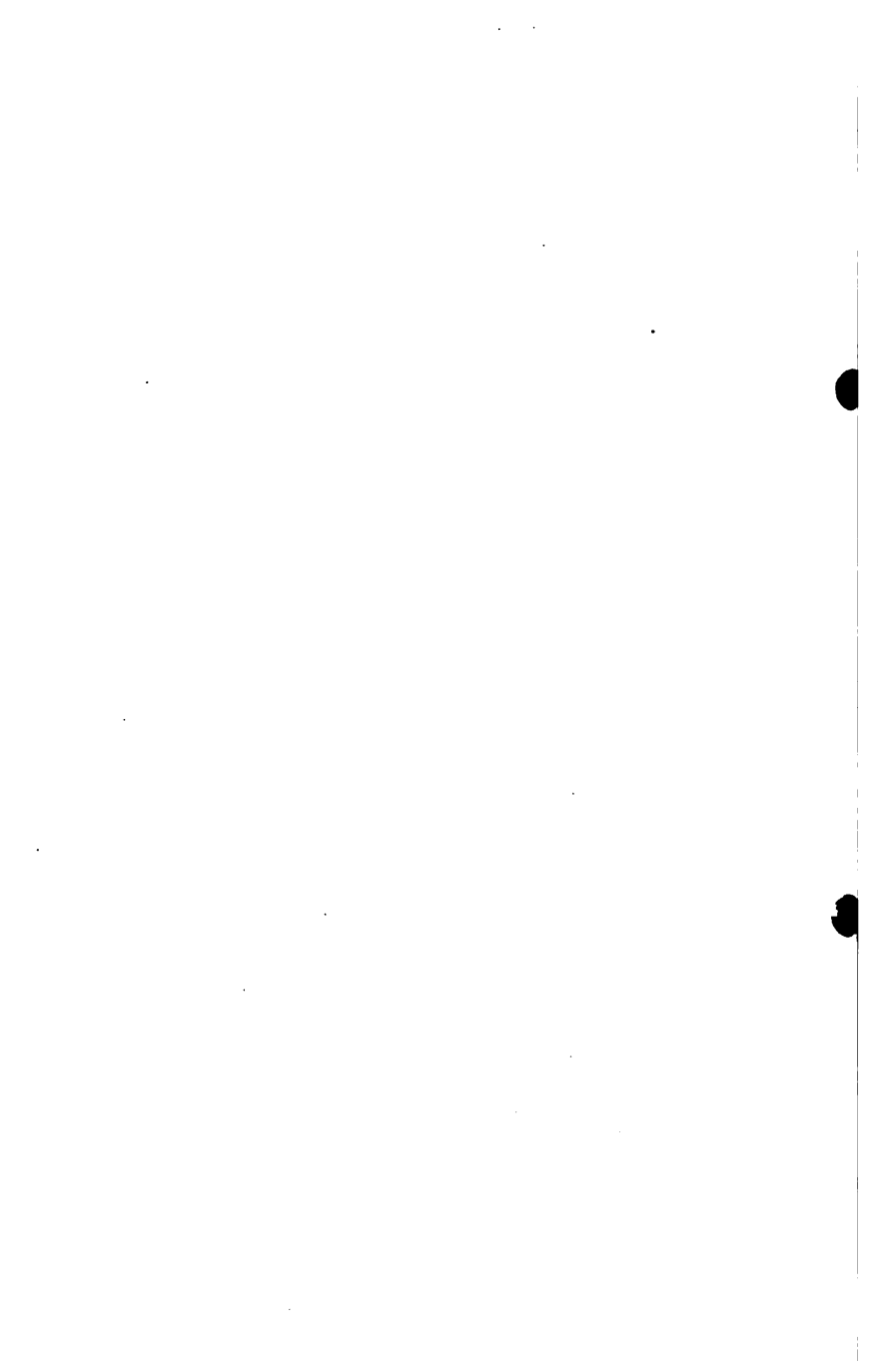
Enlisted men not belonging to organizations which have been supplied by the Quartermaster's Department with the uniform prescribed by General Orders, No. 132, Headquarters of the Army, Adjutant General's Office, 1902, are forbidden to wear either on or off duty any articles of the new patterns adopted.

BY ORDER OF THE SECRETARY OF WAR:

S. B. M. YOUNG,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.



CIRCULAR, }
No. 22. }

WAR DEPARTMENT,
WASHINGTON, *November 28, 1903.*

Memorandum, Headquarters of the Army, Adjutant General's Office, May 22, 1903, is amended to read as follows:

The following special instructions directed by the Secretary of War, governing inspectors general and acting inspectors general, will be noted and duly observed by division and department commanders and all others concerned:

1. Inspectors general, acting inspectors general, and assistants when assigned to a division or a department will be exclusively under the control of the commander thereof, and their assignments will be controlled largely by him so far as the exigencies of the service will permit. The reports of department inspectors will be addressed to the adjutant general of the department and will be for the information of the commanding general thereof. After full use of these reports has been availed of by the department commander and when no longer necessary for his revision they will be sent to the Adjutant General of the Army for transmission to the Inspector General, who, if there be matter contained therein beyond the remedial resources of the department commander, will submit them to the Secretary of War for his action, after which they will be filed in the office of the Inspector General for use in making his annual report to the Secretary of War.

2. The inspection of armories, arsenals, depots, etc., and the accounts of officers disbursing funds under the Secretary of War, and of important posts and commands, will be directed by the Secretary of War, to be made by officers recommended by the Inspector General of the Army with a view to their special fitness for the work enjoined. The military departments and business methods of the Military Academy at West Point, New York; the General Service and Staff College, Fort Leavenworth, Kansas; the School of Application for Cavalry and Field Artillery, Fort Riley, Kansas; the Artillery School, Fort Monroe, Virginia, and the School of Submarine Defense, Fort Totten, New York, will be inspected by the Inspector General of the Army as the Secretary of War may direct.

3. The forms known as the "Post Memoranda" of the in-

spection of posts and the "Summary" of post inspections will be discontinued; and in lieu thereof officers performing duty in the Inspector General's Department will provide themselves with notebooks convenient for noting such important matter as can not be obtained by observation, and will elicit verbally from those in charge during the inspection such information respecting their departments or commands as may be desired.

4. Written reports of inspections of troops, cantonments, camps, posts, arsenals, armories, depots, and general hospitals will contain a correct return of the troops, the strength present and absent, and the number of absentees from review, inspection, drills, etc., and whether the attendance at these functions is below the normal prescribed by regulations. All subsequent matter respecting the results of the inspection, except as hereinafter directed, will deal only with defects, deficiencies, irregularities, recommendations, and commendations; *the various items thereof shall be stated in numbered paragraphs, each referring to one subject only.* The paragraphs shall be arranged in groups in accordance with the assumed location of responsibility for the condition reported, and in case the responsibility is a divided one, the item of defect, deficiency, or irregularity shall be stated in each group concerned. The arrangements of the groups will be as follows:

a. THE COMMANDING OFFICER.

(To include all matters distinctly within the province of the post commander.)

b. QUARTERMASTER'S DEPARTMENT.

(To include all matters within the sphere of responsibility of the quartermaster of the post, of the constructing quartermaster, of the chief quartermaster, and of the Quartermaster General's Office.)

c. SUBSISTENCE DEPARTMENT.

(To include matters of responsibility for personnel and supplies of this department.)

d. MEDICAL DEPARTMENT.

e. CORPS OF ENGINEERS.

f. ORDNANCE DEPARTMENT.

g. SIGNAL CORPS.

The general excellence of an organization or department should not be marred by recording in the report thereof trivial matter. Such defects can be best cured by verbal suggestion communicated to the official concerned on the field, if pertaining to troops, or if in a department during the inspection thereof. When efficiency is above a superior standard of excellence commendation should be unstinted, but where plain duty only is fulfilled compliments make well-earned praise commonplace and discourage the ambitious from seeking higher levels, and hence should be avoided.

5 Inspectors must give heed to all complaints of either officers or enlisted men. If they are well founded and too serious to correct by kindly advice they should be presented to the department commander with a written statement of the accused accompanying the report upon the return of the inspector to his station.

6. On the arrival of inspectors at posts the money accountability of all disbursing officers, such as quartermasters, commissaries, and post treasurers, should be inspected first. If cash is carried by those concerned its verification should precede the inspection.

7. Inspectors should mingle with the officers at posts freely, with a view to getting their ideas respecting any reforms that may benefit the service. All suggestions that appear worthy and judicious should be noted for reference in special or annual reports.

8. A description and location of posts, camps, cantonments, armories, arsenals, depots, etc., will not be noted in written reports, except of such new establishments as have not been heretofore inspected. The character and amount of new construction since the last inspection will be stated briefly and the cost of same. The general condition with respect to repairs of public buildings will be briefly noted.

9. Before closing written reports of posts, camps, etc., a brief summary of the inspector's conclusions as to the state of the command with respect to military instruction, discipline, and readiness for field service should be stated, and on arrival at his post he should report immediately to his commanding officer all matter that in his judgment requires immediate attention, to be followed later by the written record.

10. As a suggestion to the inspector and as an assurance to

higher authority of thorough inspection the last paragraph of reports of inspections of troops will contain a detailed statement of the names of the various drills from the setting-up exercises to the evolutions of the highest organization examined by the inspector. A similar statement will obtain respecting the various tests of the classes in signaling and the Hospital Corps in litter bearer drill and first aid to the wounded.

11. Orders to inspectors about to visit posts, commands, etc., will be given in the form of letters and not published, as it is desirable that the inspectors shall see the posts, depots, etc., under normal conditions.

These instructions will not contravene paragraphs 974 and 975, Army Regulations, for the time being, which must be strictly adhered to in every particular in letter and spirit by all officers performing inspection duty.

BY ORDER OF THE SECRETARY OF WAR:

S. B. M. YOUNG,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

CIRCULAR, }
No. 23. }

WAR DEPARTMENT,
WASHINGTON, *December 7, 1903.*

The accompanying list, corrected to present date, showing surety companies which have qualified to do business in the State in which incorporated, showing also the United States judicial districts in other States and Territories in which each has complied with section 2, act of August 13, 1894, and paragraph 656 of the Army Regulations, is published for the information of all concerned.

BY ORDER OF THE SECRETARY OF WAR:

S. B. M. YOUNG,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

Rec'd Dec 21

*List showing Surety Companies which have qualified to do
U. S. Judicial Districts in other States and Territories
of August 13, 1894, and Army*

NAME OF COMPANY.	ALA.			ALAS.			ARIZ.		ARK.		CAL.		COLO.		CONN.
	Nu.	Mid.	Sn.	Nu.	Mid.	Sn.	En.	Wn.	Nu.	Sn.	Nu.	Sn.	Nu.	Sn.	
American Surety Company of New York, 100 Broadway, New York, N. Y.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Fidelity and Deposit Company of Maryland, corner Charles and Lexington sts., Baltimore, Md.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
American Bonding Co. of Baltimore, Md.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The City Trust Safe Deposit and Surety Co. of Philadelphia, 927 Chestnut st., Phila., Pa.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Fidelity and Casualty Company of New York, 99 to 103 Cedar st., New York, N. Y.	x	x	x				x	x	x	x	x	x	x	x	x
The U. S. Fidelity and Guaranty Company, S.W. cor. Calvert and German sts., Baltimore, Md.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Mercantile Trust Co., Pittsburg, Pa.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
National Surety Company, New York, N. Y.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Equitable Guarantee and Trust Company, N.W. cor. 9th and Market sts., Wilmington, Del.															
The Union Trust Co. of Pittsburg, Pittsburg, Pa.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Aetna Indemnity Company, Hartford, Conn.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Union Safe Deposit and Trust Company, Portland, Me.															
Pacific Surety Company, San Francisco, Cal.				x									x		
Virginia Trust Company, Richmond, Va.	x	x	x												
The Union Surety and Guaranty Co., Phila., Pa.	x	x	x				x	x	x	x	x	x	x	x	x
The Equitable Trust Co. of Pittsburg, Ptasbg., Pa.															
United States Guarantee Co., New York, N. Y.															
Citizens' Trust and Guaranty Co., Parkersburg, W. Va.	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
The Bankers Surety Co., Cleveland, Ohio.							x	x					x		
American Central Trust Co., St. Louis, Mo.															
The Continental Title and Trust Co., Phila., Pa.															
The Empire State Surety Co., New York, N. Y.															
The Title and Guaranty Trust Co. of Scranton, Pa.	x	x	x				x	x	x	x	x	x	x	x	x
Federal Union Surety Co., Indianapolis, Ind.															

LEGEND: = indicates State in which incorporated.

*List showing Surety Companies which have qualified to do
U. S. Judicial Districts in other States and Terri
of August 13, 1894, and Army Regu*

NAME OF COMPANY.	MONT.	NEBR.	NEV.	N. C.		N. DAK.	N. H.	N. J.	N. MEX.
				ED.	WR.				
American Surety Company of New York, 100 Broad- way, New York, N. Y.	X	X	X	X	X	X	X	X	X
Fidelity and Deposit Company of Maryland, corner Charles and Lexington sts., Baltimore, Md.	X	X	X	X	X	X	X	X	X
American Bonding Co. of Baltimore, Md.	X	X	X	X	X	X	X	X	X
The City Trust Safe Deposit and Surety Co. of Phila- delphia, 927 Chestnut st., Phila., Pa.	X	X	X	X	X	X	X	X	X
The Fidelity and Casualty Company of New York 99 to 103 Cedar st., New York, N. Y.	X	X		X	X	X	X	X	
The U. S. Fidelity and Guaranty Company, SW. cor. Calvert and German sts., Baltimore, Md.	X	X	X	X	X	X	X	X	X
The Mercantile Trust Co., Pittsburg, Pa.	X	X	X	X	X	X	X	X	X
National Surety Company, New York, N. Y.	X	X	X	X	X	X	X	X	X
The Equitable Guarantee and Trust Company, NW cor. 9th and Market sts., Wilmington, Del.									
The Union Trust Co. of Pittsburg, Pittsburg, Pa.	X	X	X	X	X	X	X	X	X
The Aetna Indemnity Company, Hartford, Conn.	X	X	X	X	X	X	X	X	X
The Union Safe Deposit and Trust Company, Port- land, Me.									
Pacific Surety Company, San Francisco, Cal.	X	X	X						
Virginia Trust Company, Richmond, Va.									
The Union Surety and Guaranty Co., Phila., Pa.	X	X	X	X	X	X	X	X	X
The Equitable Trust Co. of Pittsburg, Ptsbg., Pa.									
United States Guarantee Co., New York, N. Y.									
Citizens' Trust and Guaranty Co., Parkersburg, W. Va.	X	X	X	X	X	X	X	X	X
The Bankers' Surety Co., Cleveland, Ohio.		X				X			
American Central Trust Company, St. Louis, Mo.									
The Continental Title and Trust Co., Phila Pa.									
The Empire State Surety Co., New York, N. Y.									
The Title Guaranty and Trust Co. of Scranton, Pa.	X	X	X	X	X	X	X	X	X
Federal Union Surety Co., Indianapolis, Ind.									

LEGEND: = indicates State in which incorporated.

CIRCULAR, }
No. 24. }

WAR DEPARTMENT,
WASHINGTON, *December 22, 1903.*

The following is published for the information of all concerned:

Section 16 of the act of Congress approved January 21, 1903, provides—

That whenever any officer of the organized militia shall, upon recommendation of the governor of any State, Territory, or general commanding the District of Columbia and when authorized by the President, attend and pursue a regular course of study at any military school or college of the United States such officer shall receive from the annual appropriation for the support of the Army the same travel allowances, and quarters, or commutation of quarters, to which an officer of the Regular Army would be entitled if attending such school or college under orders from proper military authority, and shall also receive commutation of subsistence at the rate of one dollar per day while in actual attendance upon the course of instruction.

The object of this section is to further encourage the military training and education of the officers of the organized militia by giving certain allowances to the officers thereof who desire to take advantage of the course at the schools established for the officers of the Regular Army. These schools had been opened to the officers of the organized militia by General Orders, No. 155, Headquarters of the Army, Adjutant General's Office, Washington, November 27, 1901, by the Secretary of War, who in extending the benefits of these schools to the officers of the organized militia was prevented from making any expenditure of Government funds in the absence of any appropriation by Congress to meet the necessary expenses.

The Government offers to the officers of the organized militia who, in accordance with the act quoted, attend and pursue a regular course of study—

Travel allowances.—Mileage allowed by law, in general equivalent to a first-class ticket and four cents per mile from his home to the school or college on first joining and the same upon returning to his home, provided he has pursued to completion the regular course.

Quarters or commutation of quarters.—To a lieutenant, two rooms; to a captain, three rooms. Where quarters can not be furnished \$12 per room per month is allowed.

Subsistence.—He will be paid \$1 per day while in actual attendance upon the course of instruction.

The expense to the Government is strictly limited to what is set forth above.

The student must provide himself at his own expense with the proper uniforms, those of the organized militia of his own State or Territory, and with the required text-books. He must also provide the furniture and other furnishings for his rooms and heat and light them at his own expense.

The course will require the entire time of the student, so that any outside occupation during the school session is impracticable.

Students designated under this act will be required to sign in advance of receiving any benefit thereof an agreement to attend and pursue the course of study at the school designated and to be bound by and to conform to the rules and discipline imposed by its regulations.

In case of failure, through his own neglect or misconduct, the name of the student will be reported to the War Department and he will be discharged from the school. This fact will be reported to the governor of his State or Territory.

Students who complete the course will be reported to the War Department and to the governors of their States or Territories as to the progress they have made and also as to their qualifications for service for which they are especially qualified.

The number of officers of the organized militia who can be accommodated at the various service schools will be announced from time to time by the War Department, and in case the number recommended by governors exceeds the accommodations at the schools apportionment will be made among the States on the basis of the strength of the organized militia.

BY ORDER OF THE SECRETARY OF WAR:

S. B. M. YOUNG,
Lieutenant General, Chief of Staff.

OFFICIAL:

W. P. HALL,
Acting Adjutant General.

CIRCULAR, }
No. 25. }

WAR DEPARTMENT,
WASHINGTON, December 23, 1903.

The following letter from the commandant of the School of Application for Cavalry and Field Artillery, containing suggestions relative to the selection of enlisted men for instruction in the duties of farriers and horseshoers, is published for the information of all concerned:

SCHOOL OF APPLICATION FOR CAVALRY AND FIELD ARTILLERY,
Fort Riley, Kansas, November 30, 1903.

The ADJUTANT GENERAL, U. S. ARMY, WASHINGTON, D. C.

SIR: Reports are now being received from many sources testifying to the efficiency of the enlisted men who have received the course of instruction at the Training School for Farriers and Horseshoers.

It is evident, however, that greater success can be achieved if more care is exercised by organization commanders in the selection of the men whom they designate for attendance. Several men have been unable to qualify at the final examination and the labor of the instructors as well as the expense to the Government have been thrown away.

I therefore request that the following information be published for all concerned:

1. Enlisted men designated to attend the Training School for Farriers and Horseshoers must be of excellent character as no time can be spared for disciplinary instruction.

2. For farrier, the man must be exceptionally intelligent. For horseshoer, the man in addition to intelligence must possess the necessary physique; short broad back and good muscles.

3. Experience shows that best results are obtained when the man has had no previous training.

4. Organization commanders will note on the man's descriptive list "Farriers' class" or "Horseshoers' class," depending upon the instruction desired.

5. All correspondence concerning men detailed for instruction should be addressed to the "Commandant School of Application for Cavalry and Field Artillery" and not to the commanding officer, Fort Riley, Kansas.

I wish also to invite attention to the fact that field battery commanders (except those stationed at this school) have not taken advantage of the opportunity to educate their stable sergeants—a private trained as a farrier would seem to hold an anomalous position in a field battery.

Very respectfully,

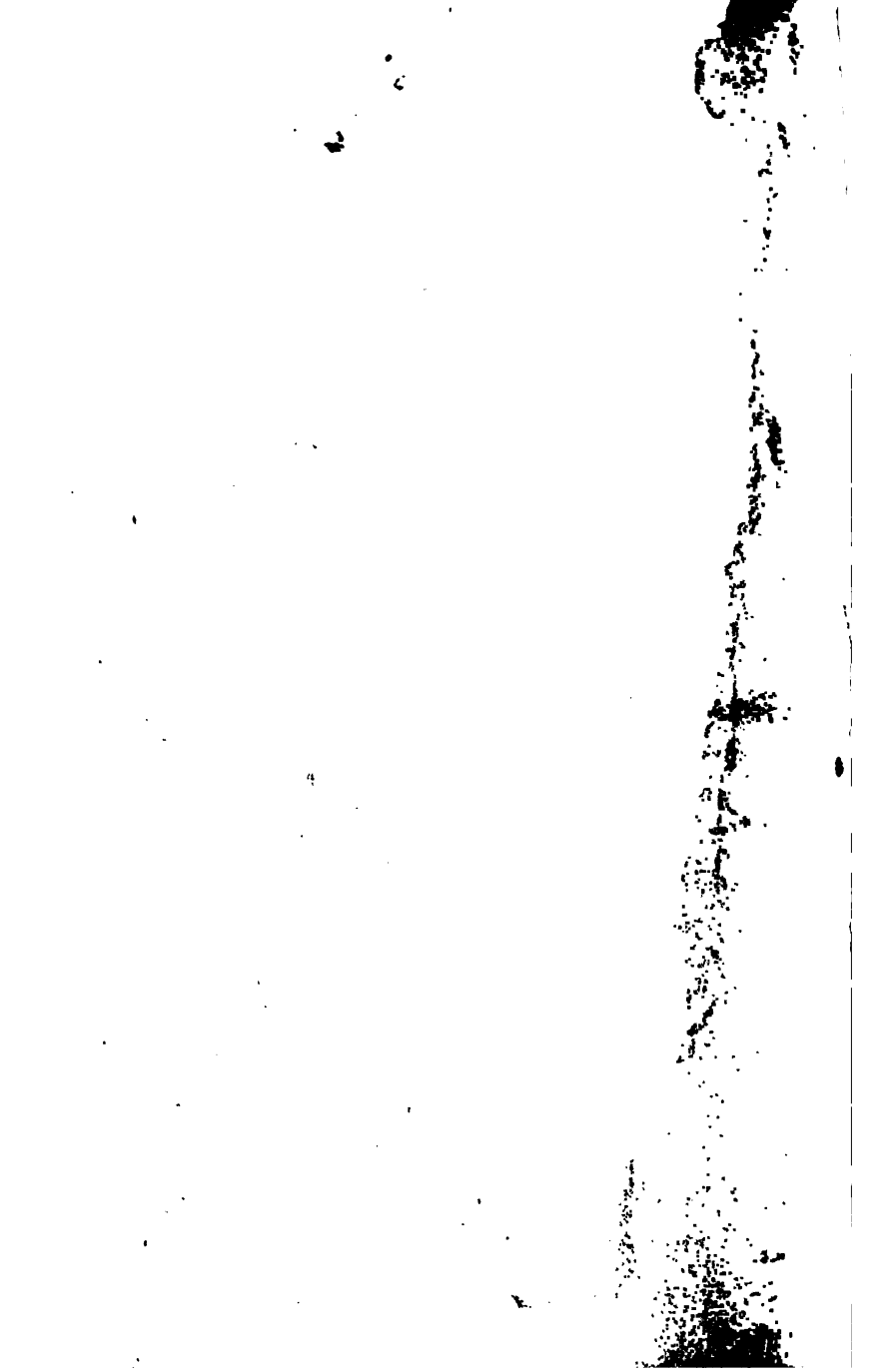
E. Z. STEEVER,
Colonel, 4th Cavalry, Commandant.

BY ORDER OF THE SECRETARY OF WAR:

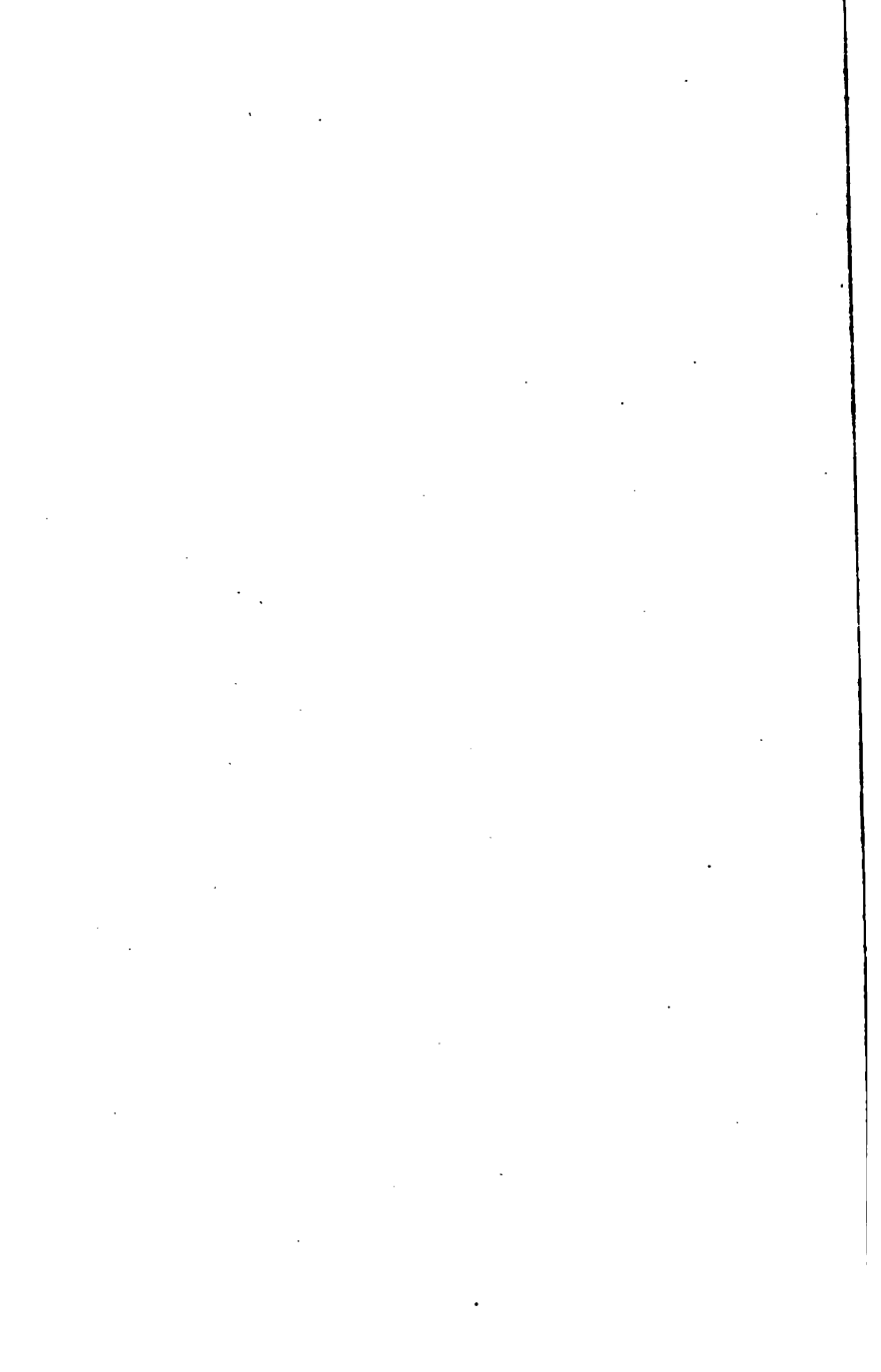
S. B. M. YOUNG,
Lieutenant General, Chief of Staff.

OFFICIAL:

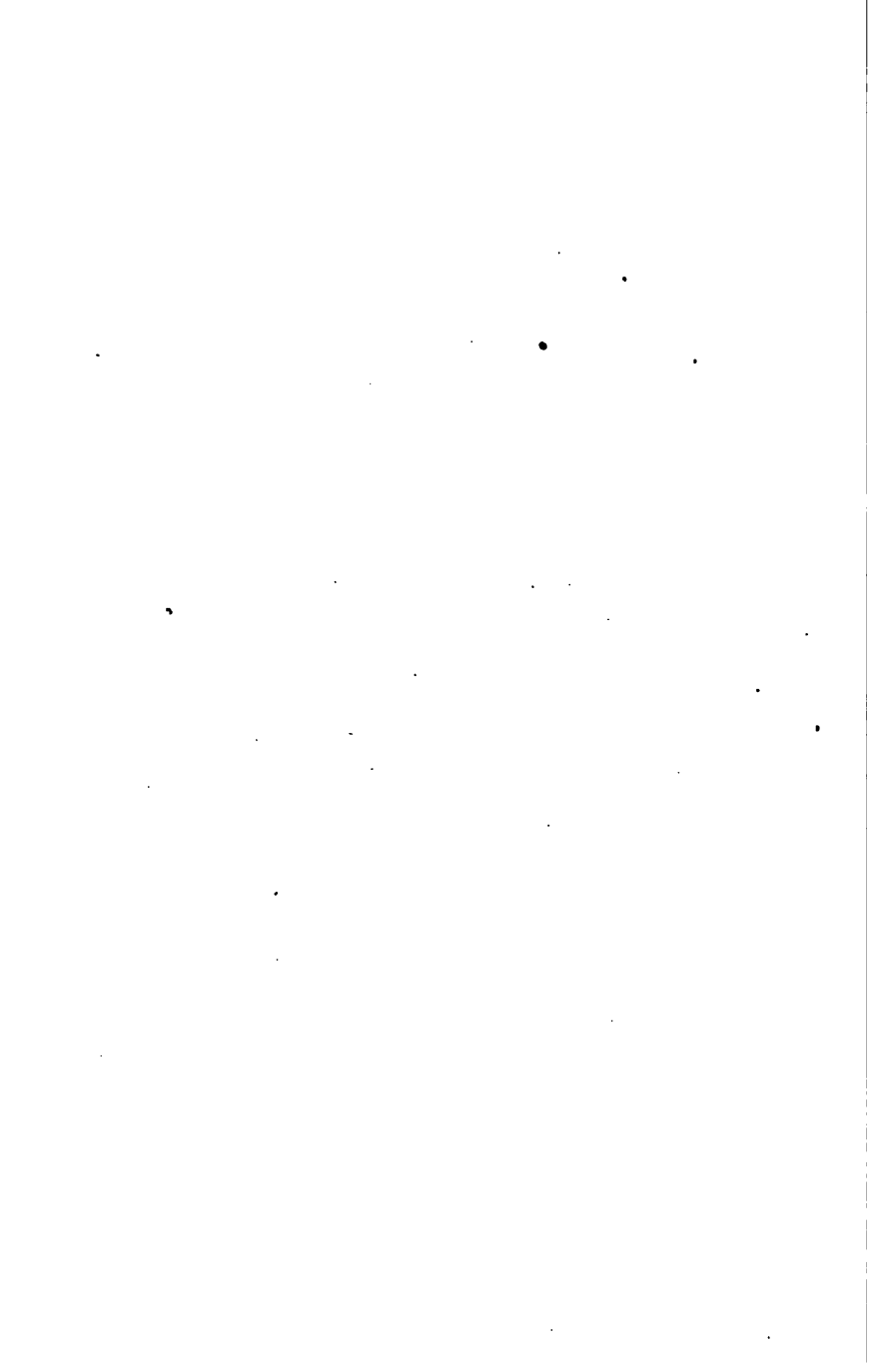
W. P. HALL,
Acting Adjutant General.











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